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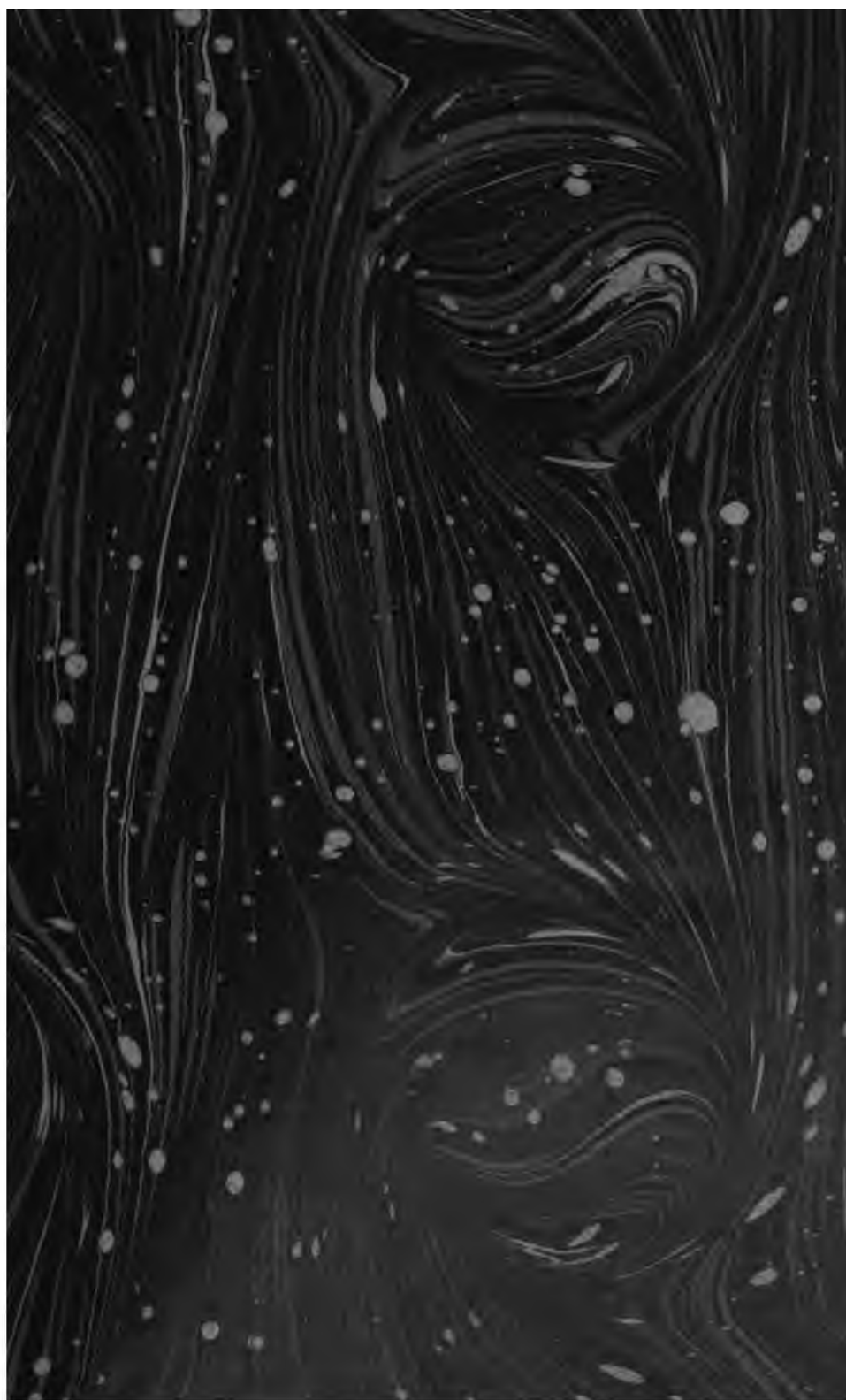
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*J. J. Chapman.*







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## PREFACE.

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THE nineteenth volume of the *Journal* is now issued in its completed form, and the Council of the Yorkshire Archæological Society expresses the hope that members will find it not inferior in interest to the preceding volumes.

Canon Fowler's translation of an old account of Clairvaux Abbey is of the greatest interest to Yorkshire archæology, the Cistercian houses of Fountains, Rievaulx, and Byland being directly affiliated to Clairvaux.

The Ethnology of the West Riding, by Dr. Beddoe, F.R.S., concerns itself with archæology quite as much as with anthropology, and the carefully compiled tables and Domesday map will engage the interest of readers.

The monumental brass of Elizabeth Catterick, with notes by Mr. Wm. Brown, comes as an addition to the collection of brasses in the North Riding which appeared in Volume XVII. of the *Journal*.

Genealogy is illustrated in Mr. Paley Baildon's Acaster Malbis and the Fairfax Family, and Dr. Fletcher Horne's paper on the Hornes of Mexborough; and Heraldry receives a considerable amount of attention throughout the volume, notably in Mr. John Bilson's elaborate contribution on Gilling Castle. The Editor ventures to draw especial attention to this article, which embodies the result of many years' patient and painstaking research. It may be doubted if Yorkshire contains, amongst its semi-fortified mansions, a building of greater interest than Gilling Castle, the history as well as the architecture of which are here fully and most ably dealt with.



Dr. Fairbank's complete account of John de Warenne, the last Earl of Warenne and Surrey, gives us much of the personal history of that erring nobleman; and although his life was connected with many parts of England, particularly with Surrey, his extensive estates in this county, and their repeated forfeiture, render his career of distinct interest to Yorkshire readers. The private war waged by him against Thomas, Earl of Lancaster, at Sandal and at Conisborough Castles, and the latter's ultimate execution after the siege of Pontefract, find their full exposition in Dr. Fairbank's paper.

Recent discoveries of archæological interest are represented by Mr. Bilson's description of a sculptured stone, dug up in the Deanery garden at York in 1904; and by a note on a British chariot-burial, excavated at Hunmanby so recently as the month of May in the present year.

Last, but not least, allusion must be made to Mr. W. G. Collingwood's very valuable contribution on Anglian and Anglo-Danish Sculpture in the North Riding. The author has himself inspected every known pre-Norman sculptured stone in the division of the county which he has undertaken; and the pen-and-ink drawings (which are of the uniform scale of one-twelfth) illustrate the details of the sculpture far better than photographs can ever do. The Society is indebted to Mr. Collingwood and Mr. Wm. Brown for the gift of these line engravings.

The thanks of the Council are offered to all those who have contributed to the volume, for their valuable and welcome help.

H. B. MCC.

## CONTENTS.

|   | PAGE  |
|---|---|
| PREFACE . . . . .   | v   |
| CONTENTS . . . . .  | vii   |
| ILLUSTRATIONS . . . . .   | ix  |
| ADDENDA ET CORRIGENDA . . . . .   | xii   |
| AN OLD DESCRIPTION OF THE SITE<br>OF THE CISTERCIAN ABBEY OF<br>CLAIRVAUX . . . . .                                 |   |
| REV. CANON J. T. FOWLER,<br>D.C.L., F.S.A. . . . .  | i   |
| ACASTER MALBIS AND THE FAIRFAX<br>FAMILY . . . . .  | W. PALEY BAILDON, F.S.A. 19   |
| THE ETHNOLOGY OF WEST YORKSHIRE   | { JOHN BEDDOE, M.D.,<br>ILL.D., F.R.S.<br>JOSEPH H. ROWE, M.B. . 31 |
| TWO MORE YORKSHIRE PARDONS,<br>OR KNARESBOROUGH LETTERS OF<br>FRATERNITY; WITH A NORTH<br>GERMAN EXORCISM . . . . . | REV. CHR. WORDSWORTH,<br>M.A. . . . . 61                            |
| THE CATTERICK BRASS . . . . .   | WILLIAM BROWN, F.S.A. 73  |
| THE DISCIPLINE OF THE CHURCH . . . . .  | T. B. WHYTEHEAD . 80  |
| BURNESTON HOSPITAL AND FREE<br>SCHOOL . . . . .   | H. B. MCCALL . . 84   |
| A PAPER PRESERVED IN THE GRAMMAR<br>SCHOOL CHEST AT GUISBOROUGH . . . . .   | REV. J. F. WILLIAMS . 95  |
| NAMES OF YORKSHIRE EX-RELIGIOUS,<br>1573; THEIR PENSIONS AND SUB-<br>SIDIES TO THE QUEEN THEREON . . . . .          | T. M. FALLOW, F.S.A. . 100  |
| GILLING CASTLE . . . . .  | JOHN BILSON, F.S.A. . 105   |

|   |  |     |
|---|--|-----|
| THE LAST EARL OF WARRENNE AND<br>SURREY, AND THE DISTRIBUTION<br>OF HIS POSSESSIONS . . . . | F. ROYSTON FAIRBANK,<br>M.D., F.S.A. . . . | 193 |
| ANGLIAN AND ANGLO-DANISH SCULP-<br>TURE IN THE NORTH RIDING OF<br>YORKSHIRE . . . . .       | W. G. COLLINGWOOD,<br>M.A., F.S.A. . . .   | 267 |
| SCULPTURED STONES AT WYCLIFFE .   | H. D. PRITCHETT. . .                       | 415 |
| THE HORNES OF MEXBOROUGH .  | J. FLETCHER HORNE,<br>M.D., F.R.S.E. . .   | 417 |
| ON A SCULPTURED REPRESENTATION<br>OF HELL CAULDRON, RECENTLY<br>FOUND AT YORK . . . . .     | JOHN BILSON, F.S.A.                        | 435 |
| EVIDENCE OF THE RELIGIOUS BELIEFS<br>OF THE ANCIENT BRITONS . . .                           | J. R. MORTIMER . . .                       | 446 |
| CHANCERY AT WATH BY RIPON. . . . .  |  | 453 |
| CHURCHWARDENS' ACCOUNTS AND<br>OTHER DOCUMENTS RELATING TO<br>HOWDEN . . . . .              | G. E. WEDDALL . . .                        | 455 |
| NOTE ON A BRITISH CHARIOT-BURIAL<br>AT HUNMANBY, IN EAST YORKSHIRE                          | T. SHEPPARD, F.G.S. . .                    | 482 |
| INDEX . . . . .   |  | 489 |

## ILLUSTRATIONS.

|  | PAGE |
|--|------|
| PLAN OF CLAIRVAUX ABBEY . . . . . <i>to face</i>                                       | 16   |
| DOMESDAY MAP OF THE WEST RIDING . . . . . „  | 59   |
| BRASS OF ELIZABETH, WIDOW OF ANTHONY CATTERICK,<br>OF STANWICK, ESQ., 1591 . . . . . „ | 73   |
| GILLING CASTLE:—   |      |
| East Front . . . . . <i>to face</i>  | 105  |
| Plan of Basement . . . . . „   | 139  |
| Details of East Doorway of Basement . . . . .  | 140  |
| Window on North Side of Basement . . . . . <i>to face</i>                              | 141  |
| Dining Room . . . . . „  | 146  |
| Plan of Dining Room . . . . .  | 147  |
| South Window of Dining Room, Light III., 1 . . . . . <i>to face</i>                    | 150  |
| South Window of Dining Room, Dial from<br>Light III., 5 . . . . . „                    | 150  |
| Inscriptions from South Window of Dining Room „  | 151  |
| Fairfax, from South Window, Light III., 5 . . . . .                                    | 151  |
| Stapleton, from South Window, Light III., 2 . . . . .                                  | 151  |
| Bay Window, Glazing-pattern of Upper Lights . . . . .                                  | 152  |
| East Window of Dining Room, Light II., 3 . . . . .                                     | 153  |
| East Window of Dining Room, Lower Part of<br>Light II., 3 . . . . . <i>to face</i>     | 153  |
| Frieze and Cornice of Wall-panelling in Dining Room . . . . .                          | 177  |
| ANGLIAN AND ANGLO-DANISH SCULPTURE IN THE NORTH<br>RIDING OF YORKSHIRE:—               |      |
| Sketch Map . . . . .   | 266  |
| Amotherby, Bedale and Birkby . . . . .   | 296  |

## ANGLIAN AND ANGLO-DANISH SCULPTURE IN THE NORTH

RIDING OF YORKSHIRE (*continued*):—

|  |     |
|--|-----|
| Brompton . . . . .   | 298 |
| Do. . . . .  | 301 |
| Crathorne . . . . .  | 304 |
| Croft . . . . .  | 307 |
| Cundall . . . . .  | 310 |
| Easby . . . . .  | 312 |
| Easby and Ellerburn . . . . .                                | 314 |
| Easington . . . . .  | 317 |
| Finghall and Forcett . . . . .                               | 320 |
| Gilling . . . . .  | 323 |
| Great Ayton and Great Edston . . . . .                       | 325 |
| Hackness . . . . .   | 328 |
| Hauxwell . . . . .   | 331 |
| Helmsley and Hovingham . . . . .                             | 334 |
| Ingleby Arncliffe, Kildale and Kirkby-in-Cleveland . . . . . | 336 |
| Kirkby Hill . . . . .  | 339 |
| Kirkby Misperton and Kirkby Moorside . . . . .               | 342 |
| Kirkdale . . . . .   | 345 |
| Do. . . . .  | 347 |
| Kirklevington . . . . .                                      | 350 |
| Do. . . . .  | 353 |
| Lastingham . . . . .   | 356 |
| Do. . . . .  | 358 |
| Levisham and Masham . . . . .                                | 361 |
| Masham . . . . .   | 364 |
| Do. . . . .  | 365 |
| Melsonby and Middleham . . . . .                             | 368 |
| Middleton . . . . .  | 370 |
| Northallerton . . . . .                                      | 373 |
| North Otterington and Old Byland . . . . .                   | 376 |
| Ormesby, Osmotherley and Oswaldkirk . . . . .                | 378 |
| Pickering and Pickhill . . . . .                             | 381 |
| Reycross . . . . .   | 384 |
| Sinnington . . . . .   | 387 |
| Spennithorne and Stainton . . . . .                          | 390 |

## ILLUSTRATIONS.

xi

PAGE

## ANGLIAN AND ANGLO-DANISH SCULPTURE IN THE NORTH

RIDING OF YORKSHIRE (*continued*):—

|  |     |
|--|-----|
| Stanwick . . . . .                                 | 392 |
| Do. . . . .  | 395 |
| Stonegrave . . . . .                               | 398 |
| Do. . . . .  | 400 |
| Thornaby, Thornton Steward and Topcliffe . . . . . | 403 |
| Wath, Welbury and West Witton . . . . .            | 406 |
| Wensley . . . . .                                  | 409 |
| Wycliffe and Yarm . . . . .                        | 412 |

|   |     |
|---|-----|
| WYCLIFFE COAT OF ARMS ON OUTSIDE OF SOUTH WALL OF<br>WYCLIFFE CHURCH, NORTH YORKSHIRE . . . . . | 414 |
|---|-----|

ON A SCULPTURED REPRESENTATION OF HELL CAULDRON,  
RECENTLY FOUND AT YORK:—

|  |     |
|--|-----|
| Stone found in the Garden of the Deanery, York . <i>to face</i>    | 435 |
| Part of Tympanum of Doorway, now in the York<br>Museum . . . . . „ | 443 |
| Sculpture from West Front of Lincoln Cathedral . „                 | 444 |

|  |     |
|--|-----|
| BRIDLE-BIT, &C., FROM BRITISH CHARIOT-BURIAL AT HUNMANBY,<br>EAST YORKSHIRE . . . . . <i>to face</i> | 487 |
|--|-----|

## PEDIGREES.

|  |          |
|--|----------|
| ETTON, OF ETTON AND GILLING . . . . .  | 108      |
| ETTON AND FAIRFAX OF GILLING . . . . . | 112, 113 |
| HORNE OF MEXBOROUGH . . . . .          | 424, 425 |



## ADDENDA ET CORRIGENDA.

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- Page 14, line 20. To *read*, if it were not that yokes of oxen (etc.), indicated their inhabitants,
- „ 23, note 1. To *read*, Wilstrop or Wilsthrop, near Kirk Hammerton.
- „ 34-35, Table I. To footnotes add : Gl. Max. = Maximum from Glabella ; F.H. = Forehead ; Brs. = Brows ; Obl. = Oblong.
- „ 44-45, Table IV. Estimated capacity—In each couple of numbers the second is what may be supposed to be the true capacity in cubic centimeters. For details of the writer's matured process, see his paper in the Berlin *Zeitschrift für Ethnologie*, 1907.
- „ 48, Table VI. Cowling—Max. length, for 190-7, *read* 191-2. Breadth, for 152, *read* 151-8. Estimated capacity, for 1480, *read* 1470.
- „ 50, line 10. For De Laponge, *read* De Lapouge.
- „ 59, line 3. Insert 'may' before 'have.'
- „ 76, line 20, in pedigree. George Catterick, d. 1592, was the brother (not the son) of Anthony, who d. 1585.
- „ 193, line 9. On 10th June, 1285, the Earl of Oxford and Joan his wife granted certain manors and lands to William de Warenne and Joan, their daughter, and to the heirs of Joan. At the same time the King promised that in case the said William and Joan should die leaving an heir within age, the custody of the land and heir should accrue to the Earl of Oxford and his wife. William de Warenne died six months before his son John was born, but as his wife continued living, the child became a ward of the King according to custom. (*Cal. Pat. Rolls*, 1281-1292, p. 173.)

THE  
**Yorkshire Archaeological Journal.**

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AN OLD DESCRIPTION OF THE SITE OF THE  
CISTERCIAN ABBEY OF CLAIRVAUX.

WITH A TRANSLATION, ADDITIONAL MATTER, AND A PLAN.

BY THE REV. CANON J. T. FOWLER, D.C.L., F.S.A.

A FEW words from me may suffice by way of introduction. While staying at the Rectory, South Kelsey, in April, 1904, I was attracted by a fine black-letter folio in its original binding, "Diui Bernardi abbatis Clareuallis . . . opera omnia . . . Parisiis, Ex officina Claudii Cheuallonii . . . mense Januario, 1527." On folios cccix and cccxx I found the following description of the site of Clairvaux,<sup>1</sup> and was greatly fascinated thereby, so much so, indeed, that I at once started off to Clairvaux to see what I could for myself. On my arrival I found that I could not be admitted within the monastic enclosure, now used as a prison, without an order from the Minister of the Interior, so had to limit myself to a general survey from the outside, and a pilgrimage to St. Bernard's Well. I made out, however, that the valley referred to in the description (p. 9) begins in the Forest of Clairvaux, about  $1\frac{1}{2}$  or 2 miles south-west of the site of the monastery, and gradually widens as it descends, to open out upon the much greater valley of the Aube. The monastic enclosure is at the very mouth of the side valley; on the northward side of this valley the wall is carried up so as to include a considerable portion of rising ground, with a good southward aspect, for vines, etc., then it descends to the lower level; on the southward side the wall is partly in the Aube valley, partly in that of Clairvaux; compare the next sentence (p. 9). On my way back to Paris I found, in the public library at Troyes, and also, afterwards, in the British Museum Library, "Vie de Saint Bernard . . . par l'Abbé E. Vacandard. Paris, Librairie Victor Lecoffre, Rue Bonaparte, 90." 2 vols. 8vo. 1895. This work (Tome I. p. 417) contains an excellent plan, based upon a birds-eye

<sup>1</sup> It may also be found in Migne, *Patr. Lat.*, vol. 185, col. 569.

view, published by Dom Nicolas Milley in 1708, with two other "prospects" or "ichnographies." (Tome I. Appendix B, p. 497.) There is also a plan in Viollet le Duc (*Dict. de l'Architecture*, Par. 1858, i. 266), but there the water-courses are partly shown as running the wrong way. The plan accompanying this description is a new one, based principally on that of Vacandard. When I came to study that plan, with the help of Vacandard's text, my interest in the subject was greatly increased, and, having obtained from the Paris authorities the necessary written order, I paid a second visit to Clairvaux in April, 1905, with much more knowledge of the place and of what to look for than I possessed on the former occasion. I here give the substance of what I jotted down. After arriving at Bar-sur-Aube we repeatedly cross the Aube by the railway, and again immediately after leaving the Clairvaux station, where the modern road is carried over the river by a bridge of two arches; then we cross a side stream forming an island by leaving and rejoining the river, close by the Café de la Gare; and then we cross the Monks' Cut (*Aqueductus ex Alba*), and see it rejoin the Aube, as described on page 13. Then we see the eastern wall of the enclosure, with the two streams emerging under two low arches, not as shown in the plan, but, by some later arrangement, more to the south, at about the middle of the *hortus major*. The road passes between the now drained *stagnum* and the wall, there forming the beginning of the village street, which is carried by a bridge over the *aqueductus*, here seen to pass under the wall by a modern arch, that represents the original arch referred to on page 11. Soon, by a gentle ascent, the road brings us to the *porta ad meridiem*, where the crystal-clear *Rivus S. Bernardi*, fed by the well (p. 15), passes first under a bridge and then under the wall, as shown in the plan.<sup>1</sup> On crossing this bridge we are in the western portion of the enclosure, now a part of the village, with the small parish church of St. Anne, built in 1827, on the eastern portion of the *Agger deambulatorius*, and not shown in the plan. The school is somewhere about 22 on the plan. This outer enclosure was the original site, in which was the *monasterium vetus* of St. Bernard (12, 13); some remains of that date are, I think, still to be seen, and will be afterwards referred to. Arriving at the *ingressus monasterii* (31), now the main and indeed only entrance to the prison, I interviewed M. le Directeur, and exhibited my credentials, whereupon he, with an attendant carrying a plan, accompanied me all over the place. I at once saw that very little of the monastic plan

<sup>1</sup> The arrows in Viollet le Duc's plan show the stream as running westward, which is not correct; nor would it be possible, for in that case it would have to run up hill.

could be made out. The buildings had been largely modernised, as other French abbeys were, before the suppression, but, worse still, the church and many other buildings had been wholly swept away and new prison buildings erected, so that all one could hope for was to find some isolated remains. I should mention, however, that the enclosing wall, though modernised, is still standing exactly as shown in the plan, and in the eastern portion it serves as the prison wall. In the gatehouse (31) is quadripartite vaulting, with ribs semi-octagonal in section, on plain brackets; the outer and inner arch are both modern, as is the rest of the building. There is some quadripartite vaulting with moulded ribs under what was the guest-house (33). The noble western range of the great cloister (49) is the principal ancient portion left. The ground floor is a fine lofty place, with two rows of octagonal columns, dividing it into three alleys, or 'nefs,' as the French call them; the vaulting-ribs are semi-circular, and square in section. Over this is an upper storey, with octagonal columns and pointed vaulting, the ribs square in section. The windows both above and below are round-headed, and as plain as they could possibly be made. The south end of this building is well shown in one of Milley's views. Adjoining, on the east side, was a "lane," as at Kirkstall. (See plan. Date *circa* 1140.) The church is totally gone, and in its place is an exercising ground for the prisoners, planted with an avenue of trees. The later chapter-house is a fine *salon* with coved ceiling, now used as the prison school. The later frater is similar, and is used as the prison chapel. The kitchen is of the same date, and at the time of my visit hot soup, with an appetising odour, was being ladled out of a vast caldron into great tubs. We now came to the spot on the plan (near 43) where the *Rivus S. Bernardi* seems to have been carried over the *Aqueductus ex Alba* by means of an aqueduct. No such arrangement can now be traced, but both streams are here commingled, and their joint water-power is used for the prison mill, weaving, and glass cutting. The combined stream is, however, divided into two, one passing through the buildings and the other through the gardens. There is nothing left of the elaborate system of irrigation described on page 11, and shown in the plan (*hortus major*), and, as mentioned on page 2, the streams are not now taken under the wall at the north-east corner, as shown in the plan, but more to the south, yet still separately. The stream from the Aube just inside the wall has now been done away with from the point where it turned eastward, together with the system of irrigation connected with it; but the gardens are watered by hand from the

stream of St. Bernard or its present representative, in which dip-tubs are fixed at intervals. The prison gardens are where the monastic gardens and orchard were, and the prisoners at work in their white clothes remind one of the white monks and *conversi* who once worked on the same spot. There is a modern *lavoir*, or washing-house (near 42, 43), where several women were busy washing. We now passed out at the main gateway (31), where I had to give up my letter from Paris. But I was here free to go about as I pleased, and so at once set to work upon the outer enclosure. Here I noted the place used as the village school (22), not ancient. There is a square modern building on the site of 21. Of 18, the building called *carceres sæculares*, there are quite distinct remains, with very plain round-headed windows and ribless quadripartite vaulting, now converted into cottages and hayloft. I feel sure that these are, as is generally supposed, remains of St. Bernard's earlier buildings (*circa* 1117). During his lifetime, notwithstanding continual swarming off to new monasteries, the hive of Clairvaux remained always full, and it became necessary to extend the original enclosure eastward, and to enclose a new monastery on a very much larger scale. When this great work had been accomplished, the convent migrated to their new buildings, and the old monastery became a grange. I tried to sketch the venerable remains of the first monastery, but was prevented by rain, for I could not sketch, as St. Bernard's amanuensis is said to have written a letter at his dictation, *in imbre sine imbre*, both persons remaining quite dry while all around was inundated. I was promised photographs, but they have never come. The *Agger deambulatorius*, or at least the greater part of it, *i.e.* the part not occupied by St. Anne's Church (p. 2), is still a raised walk, with fruit trees and beds of flowers and vegetables. I saw the *ingressus primus* (8), with closed doors, from within. After this survey I walked to Outre-Aube, less than a kilomètre from the inn (Hôtel St. Bernard), which stands just opposite to the south-east corner of the enclosure, close to, if not on, the site of the *stagnum*, or lake (p. 14, and note 5). On the way to Outre-Aube we cross the river by a bridge. The water was quite clear on April 4th, 1905, but sometimes it is milky in appearance, whence its name, Alba, Aube. The grange of Outre-Aube is now a walled hamlet, including two or three farms. The largest house is probably late monastic. There is a plan of the hamlet in Milley's and Vacandard's plans, not in its right place for want of room, and hence apt to be misleading as to the situation. On my return from Outre-Aube I took particular notice of the site of the lake. The gardens now occupying that site

are watered by a small stream brought from the *Aqueductus ex Alba* (p. 14, note 5), which "aqueduct" I now proceeded to explore. I could see its lower reaches beyond the gardens; a short way along the modern road to La Fertè we come to a bridge over it; its width is here about six paces, and its depth about three feet; its whole course is marked by pollard and other trees, and I could see where it branched off from the Aube. My pilgrimage to the Well of St. Bernard was made at my former visit, April 14, 1904, not on foot, but in a *fiacre*, with a sorry horse, on a dreadful road, and up the valley of Clairvaux, to the well. (See p. 15, note 4.) The tank is about two paces square, and in front of it is an area shaded by trees, where the villagers come to dance in June, as I was told. This dancing seems to have no connexion with the Feast of St. Bernard of Clairvaux, which is on August 20. As there are so many Cistercian abbeys in Yorkshire, I have ventured to think that the old description of the site and the waters of Clairvaux, which has given so much pleasure to me, together with the results of my personal inspection of the place, will prove acceptable to many of the readers of our *Journal*.

¶ DESCRIPTIO POSITIONIS SEU SITUATIONIS MONASTERII  
CLAREUALLIS.

(For translation, see pp. 9-16.)

Si situm clareuallis nosse desideras, hec tibi scripta sint pro speculo. Duo montes non longe ab abbazia habent initium, qui primo anguste vallis interiectione distincti, quo magis ad abbaziam appropiant, maiore hiatu fauces dilatant, quorum alter alterum abbatie latus dimidium, alter totum occupat. Alter fecundus vinearum, alter frugum fertilis, iucundum visui, et vsui commodum ministerium prebet: dum per deuexa latera in altero crescit quod comedant, quod bibant in altero. In summis montium frequens monachis labor est, amenus quidam, et quiete iucundior, ramale uetus colligere, et colligare fasciculos ad comburendum, squalentes extirpare dumos, et solis aptos ignibus, ignibus aptare, eruderare sentes, euellere, destruere, disperdere, (ut secundum salomonem dicam) spuria vitulamina quæ crescentium arborum vel ligant ramos, vel radices suffodiunt. Ne impediatur rigida quercus sublimi salutare sidera vertice, tilia mollis brachia explicare, fissilis et flexilis fraxinus libere se in altum extendere, patulave fagus in latum expandere. Porro abbatie pars posterior, in latam desinit planitiem, cuius partem non modicam murus occupat qui abbaziam diffuso cingit ambitu. Intra huius septa multe et varie arbores variis fecunde fructibus instar nemoris pomerium faciunt, quod infirmorum celle contiguum, infirmitates fratrum non mediocri



leuat solatio, dum spatiosum spatiantibus prebet deambulatorium, estuantibus quoque suaue reclinatorium. Sedet egrotus cespite in viridi, et cum inclementia canicularis immiti sydere terras excoquit, et siccatur flumina, ipse in securitatem et absconsionem, et umbraculum diei ab estu, fronde sub arborea ferventia temperat astra: et ad doloris sui solatium, naribus suis graminee redolent species. Pascit oculos herbarum et arborum amena viriditas, et pendentes ante se atque crescentes immense eius delicie, ut non immerito dicat, Sub vmbræ arboris illius quam desideraueram sedi, et fructus eius dulcis gutturi meo. Aures suaui modalamine demulcet pictarum concentus auium, et ad vnius morbi remedium, diuina pietas multa procurat solatia, dum aer nubilus ridet serenitate, terra fecunditate spirat, et ipse oculis, auribus, naribus, colorum, canorum, odorum delicias haurit. Ubi pomerium desinit, incipit ortus intercisis distinct (f. cccxx.) tus areolis, uel potius diuisus riuulis intercurrentibus. Nam licet aqua dormitans appareat, pigro tamen decurrit elapsu. Pulchrum et hic infirmis fratribus prebetur spectaculum, dum super viridem puri gurgitis marginem sedent vitrea videre sub vnda pisciculos ludere, et natatu obuio militarem representare congressum. Aqua hec piscibus alendis, et rigandis oleribus duplici ministerio seruit, cui Alba famosi nominis fluuius indefesso meatu fomenta ministrat. Hic per multas abbacie officinas transitum faciens, ubique pro fideli obsequio post se benedictionem relinquit, qui ad hoc cum multo quidem labore conscendit, non integer, nec tamen ociose pertransit. Ipse quidem mediam vallem flexuosum intersecans per alueum quem non natura, sed fratrum industria fecit, dimidium sui mittit in abbatiam, quasi ad salutandum fratres, et se quod totus non venerit excusandum, quippe qui totius capax canale non inuenit. Et si forte amnis ipse inundans impetuoso excursu proruit, obiectu muri retroactus, subtus quo eum necesse est fluere, in seipsum recurrit, et refluxum denuo, defluus amplexatur. Intromissus vero quantum murus (portarii vice) permisit, primum in molendinum impetum facit, vbi multum sollicitus est, et turbatur erga plurima, tum molarum mole far comminuendo, tum farinam cribro subtili segregando a furfure. Hic iam in vicina domo caldariam implet, et se igni coquendum committit, vt fratribus potum paret si forte sterilis vindemia cultoris industrie non bene responderit, et defectus sanguinis vue, de filia fuerit festuце supplendus. Sed nec sic se absoluit, eum enim ad se fullones inuitant qui sunt molendino confines, rationis iure exigentes vt sicut in molendino sollicitus est quo fratres vescantur, ita apud eos paret quo et vestiantur. Ille autem non contradicit, nec quicquam eorum negat que petuntur, sed graues illos siue pistillos siue malleos dicere mauis vel certe pedes

ligneos (nam hoc nomen saltuoso fullonum negocio magis videtur congruere) alternatim eleuans atque deponens, graui labore fullones absoluit, et si ioculari quippiam licet interserere seriis, peccati eorum penas absoluit. Deus bone, quanta pauperibus tuis procuras solatia, ne abundantiore tristitia absorbeantur, quanta penitentibus pene alleuiamenta dispensas, ne laboris violentia nonnunquam fortassis opprimantur. Nam quot equorum dorsa frangeret, quot hominum fatigaret brachia labor, a quo nos sine labore amnis ille gratus absoluit, etiam cum sine ipso nec indumentum nobis pararetur nec alimentum. Ipse vero nobiscum participatur, nec aliud de labore suo (quo laborat sub sole) mercedis expectat, quam ut cum omnia diligenter perfecit, liber permittatur abire. Tot ergo volubiles rotas rotatu rapido circumducens, sic spumeus exit, ut ipse quasi moli et mollior fieri videatur. Excipitur dehinc a domo coriaria, ubi conficiendis iis que ad fratrum calceamenta sunt necessaria, operosam exhibet sedulitatem. Deinde minutatim se et per membra multa distribuens, singulas officinas officioso discursu perscrutatur, ubique diligenter inquirens, quid quo ipsius ministerio opus habeat, coquendis, cribrandis, vertendis, terendis, rigandis, lavandis, molendis, molliendis, suum sine contradictione prestans obsequium. Postremo, ne quid ei desit ad vitam gratam, et ne ipsius quaquaersum imperfecta sint opera, absportans immunditias, omnia post se munda relinquit. Et iam peracto strenue propter quod venerat, rapida celeritate festinat ad fluuium, ut vice Clareuallis agens ei gratias pro vniuersis beneficiis suis, salutationi eius, resalutatione condigna respondeat, statimque refundens ei aquas quas nobis transfuderat, sic de duobus efficit vnum, ut nullum appareat vnionis vestigium: et quem discessu suo tenuem et pigrum fecerat, mixtus ei morantem precipitat. Sed quia eum loco suo restituimus, redeamus ad riuulos quos post nos reliquimus, qui deriuati a fluuio, passiuus per prata vagantur excursibus, ut inebrient terram et infundant eam, et germinare eam faciant, ne cum verna temperie terra pregnans in partum soluitur, renascentia gramina humorum inopia marcescant, nec opus habeant mendicatis nubium guttulis irrigari, sufficienter cognati fluminis fota beneficio. Hi riuuli vel potius sulci post peractum officium, fluuio qui eos euomuerat absorbentur, et iam totus simul alba collectus, prono decursu per deuexa festinat. Sed quia iam eum longius conduximus, et ipse secundum Salomonem ad locum suum reuertitur, reuertamur et nos unde digressi sumus, et diffusam prati planitiem succincto sermone transiliamus. Multum habet locus ille amenitatis, multum quod mentes fessas alleuet, luctusque soluat anxios, multum quod querentes dominum ad deuotionem accendat, et superne dulcedinis ad quam

suspiramus admoneat, dum ridens terre facies multiplici colore, vernanti pictura oculos pascit, et suaueolentem naribus spirat odorem. Set et dum video florem, dum sentio floris odorem, historias veterum memorant mihi prata dierum. Nam cum odoris delicias haurio, occurrit animo fragrantiam vestimentorum patriarche Iacob, suaueolentie agri pleni fuisse assimilata. Dumque oculos colore reficio, hanc recordor speciem purpure Salomonis fuisse prelatam, qui in omni gloria sua liliorum agri decorem equiparare non potuit, cum tamen nec ars ipsius sapientie, nec potentie deesset materia, et sic dum foris fruor ministerio, non parum latenti delector mysterio. Hoc ergo pratum intercurrentis fluuii fouetur irriguo, et ad humorem eius mittit radices suas: ideo non timebit cum venerit estus. In longum autem tanto tractu distenditur, vt cum tonsum vellus gramineum sol in fenum torruerit, bis denis diebus conuentum lassare sufficiat. Nec tamen solis monachis labor ille relinquitur, sed cum monachis, tam conversorum, donatorum, quam conductitorum innumerosa multitudo desectas colligit herbas, et tonsam raro pectine vertit humum.<sup>1</sup> Hoc pratum inter se due grangie diuidunt, quibus Alba ad dirimendam litem, equus arbiter et mensor accedit, qui sui cuique partem in funiculo distributionis assignans, seipsum limitem facit, quem altera ad inuadendam alterius partem transire non audeat. Grangias has non conversorum esse habitacula, sed claustra monachorum crederes, nisi vel iuga bouum, vel aratra, vel instrumenta alia rusticanis apta laboribus, habitatores suos proderent, et nisi quod in eis libri non explicantur. Nam quantum ad edificia spectat, ea magno monachorum conuentui diceret et situ conuenire, et decere venustate, et capacitare sufficere. In parte prati que est muro contigua, de campo solido factus est lacus liquidus, vbi prius estuans operarius fenum falce secabat acuta, ibi frater aquarius sedens mobili per lubricam liquentis campi planitiem equo vectus ligneo, leuem remum pro calcaribus habet, quo cursum vrgeat, et pro freno quo flectat. Explicatur rete sub vndis quo implicetur pisciculus, et parentur ei esce quibus libenter vescitur, sed latet hamus in illis quo capitur incautus, quo exemplo docemur spernere voluptates, quia nocet empta dolore voluptas; cuius tristes esse exitus nemo nescire permittitur, nisi qui vel non peccauit, vel non bene de peccato penituit. Longe autem faciat deus a nobis delectationem, secus cuius introitum mors posita est: que secundum sapientis descriptionem, apum par volantum, vbi grata mella fudit, fugit, et nimis tenaci ferit icta corda morsu. Laci ambitus per altum ripe marginem conserti vimineis ligatur radicibus,

<sup>1</sup> "Et tonsam," etc., is a quotation from Ovid, *Remedia Amoris*, 192, where *verrit* is the preferable reading. Migne retains *vertit* here.

ne vnde alluenti cedat terra fathiscens. Preterfluenti rivo lacus hic pascitur, qui vix sexies senis pedibus seiunctus per meatus exiles infundit ei aquas quibus alatur, et ipsas quoque eadem exilitate refundit. Unde et sic in eodem statu permanet, vt nec maior sit influentibus, nec effluentibus minor; quia eadem mensura et recipit et eijcit eas. Sed dum per plana cursu feror volatili, dum anhelus in arduis ilia duco, vel purpuream prati superficiem manu ipsius sapientie pictam, vel comata arboribus montium iuga describo, arguit me ingratitude fons ille dulcissimus sepenumero mihi bibitus, et bene quidem meritis de me, sed a me male remuneratus. Obijcit mihi cum exprobratione quod sepe extinguende siti mee seruierit, quod se meis non solum manibus, sed et pedibus lauandis humiliauerit, quod multa mihi impenderit humanitatis ac benignitatis officia: bono merito, mercede mala me respondisse; se in locorum catalogo locum vltimum, et pene nec vltimum fuisse sortitum; cui tamen pro sui reuerentia primus deberetur. Et vere diffiteri nequeo sero me ipsius meminisse, quando ante ipsum alicuius memini. Verum ipse per decursus et discursus subterraneos tacite labens, ita ut nec leni murmure transitus eius valeat deprehendi, instar aquarum siloe quæ cum silentio vadunt, quasi prodi metueret, vbique caput suum cooperit, et suos declinat aspectus. Quidni crederem velle taceri, quem video non nisi sub tecto velle videri? Hic ergo fons (quod boni fontis esse fertur indicium) ex opposito solis orientis oritur, ita ut estiuo solstitio roseam rutilantis aurore faciem ex aduerso salutet. Tugurio vel (ut maiori reuerentia dicam) tabernaculo paruo et pulchro cooperitur et clauditur, ne vndecunque sordes admittat. Ubi eum mons euomit, vallis deglutit; et in loco quo oritur, eodem quasi moritur, quin et sepelitur. Sed ne expectes signum Ione prophete, vt tribus diebus et tribus noctibus delitescat absconditus, statim ad mille passus intra claustrum monasterij, quasi de corde terre resuscitatus progreditur, et quodammodo rediuius apparet, visui tantum et vsui fratrum se offerens, ne cum alijs quam cum sanctis sors illius amodo sit futura.

### ¶ Clereuault.

#### DESCRIPTION OF THE POSITION OR SITUATION OF THE MONASTERY OF CLAIRVAUX.

If you wish to become acquainted with the site of Clairvaux, let this account serve as your guide. Not far from the abbey begin two hills, which at first are separated by a narrow valley, but the nearer they approach to the abbey the more the sides of the valley open out, and one of these "occupies" one half side of the abbey,

the other its whole extent.<sup>1</sup> One side is fruitful with vineyards, while the other abounds in corn, rendering a service delightful to the sight and convenient for use, while along the slopes there grows on the one side what men may eat, and on the other what they may drink. On the tops of the hills there is plenty of work for the monks, pleasant indeed, and more agreeable than doing nothing, in the gathering of old sticks, and binding them in faggots, for burning.<sup>2</sup> Again, in the rooting up of the rough brushwood, fit for nothing but to be burnt, and making fires of it; in the stubbing up of briars; in the pulling up, destroying, and scattering abroad of (if I may use an expression of Solomon's<sup>3</sup>) bastard slips, which either wind round the branches of growing trees<sup>4</sup> or encroach on their roots, so labouring, that the sturdy oak may not be hindered in greeting the stars with its lofty top, nor the pliant linden, in spreading out its branches, nor the ash, so readily split and bent, in freely stretching itself up on high, nor the spreading beech, in reaching far and wide. Further on, the back part of the abbey terminates in a wide level space, a considerable portion of which is enclosed by the wall that makes a large circuit to surround the abbey.<sup>5</sup> Within the bounds of this enclosure many and various trees, abounding in all kinds of fruits, form an orchard<sup>6</sup> amounting to a wood, which is close to the infirmary, and alleviates the infirmities of the brethren with no small solace, while it affords a wide space in which they can wander about, and a delightful spot to lie down in when they are overcome by the heat. The sick man sits on the green turf, and when the inordinate heat of the dog-days parches the lands and dries up the streams, he retires into safety and concealment and a shade from the heat of the day; he tempers the fervent heat under the foliage of the trees, and, for a solace to his pain, the spicy odours of the herbage are sweet in his nostrils. The charming verdure of the trees and of the plants feeds his eyesight; hanging and growing before him are his boundless delights, so that he may well say, "I sat down under the shadow of that tree with great delight, and its fruit was sweet to my

<sup>1</sup> See p. 9. The meaning must be that while the north side of the valley extends the whole length of the abbey, the south side does not reach so far eastward. See the plan, where the *Aqueductus ex Alba* turns round into the Clairvaux valley.

<sup>2</sup> The tops of the hills are well wooded now.

<sup>3</sup> *Wisd.* iv. 3.

<sup>4</sup> There is still a good deal of ivy.

<sup>5</sup> At its eastern end the enclosure takes in part of the level valley of the Aube; this eastern portion is still occupied by gardens and orchards, as shown in the plan.

<sup>6</sup> Read 'pomarium.'

taste."<sup>1</sup> A concert of birds of varied plumage soothes his ears with sweet modulation,<sup>2</sup> and for the remedy of one disease divine goodness provides many comforts; while the clouds smile in the beautiful weather, the earth is alive with fertility, and he himself, with his eyes, his ears, and his nostrils, drinks in the delights of colours, of songs, and of odours. Where the orchard ends, begins a garden, laid out in beds separated by ditches, or rather divided by streams of water running between them.<sup>3</sup> For although the water appears to be at rest, it is really flowing down in a very slow stream. And here is afforded a pretty sight for the sick brethren, while they sit on the green bank of the pure stream to watch the fishes sporting under the crystal wave, and to see how, in their swimming in shoals, they meet one another, representing a military encounter.<sup>4</sup> This water serves the double purpose of providing for the fishes and watering the vegetables, and that famous river the Aube keeps up the supply by its unwearied flow. This river, making its way through the many offices of the abbey, everywhere, by virtue of its faithful service, leaves a blessing behind it, and embarks on this task with many a toil indeed, as not in its whole strength, nor yet in idle ease, it passes through the abbey. Intersecting the middle of the valley<sup>5</sup> in a tortuous stream not made by nature's hand, but by the industry of the brethren, it discharges one half<sup>6</sup> of itself into the abbey, as if to salute the brethren, and to excuse itself because the whole has not come, the reason being that it has not found a channel large enough to take it. And if ever the river itself, in time of flood, rushes on in its impetuous course, being driven back by the obstacle of the wall under which it has to pass,<sup>7</sup> it returns upon itself, and the descending stream embraces it in its backward flow. But so much of it as the intervening wall, performing the function of a porter, has allowed to pass, first makes a rush upon the mill, where it is careful and troubled about many things, as well the bulk of the millstones grinding the corn, as the

<sup>1</sup> *Cant.* ii. 3.

<sup>2</sup> There are not many, if any, birds to be seen or heard there now; we miss the little birds, and notice the silence there, as in France generally at the present time.

<sup>3</sup> On the irrigation, see p. 3.

<sup>4</sup> This would be in some of the larger streams that are now done away with (p. 3). The only stream now passing

through the garden is too small and shallow for shoals of fish.

<sup>5</sup> That of the Aube, where the artificial stream, brought by the monks from the river, of course begins.

<sup>6</sup> Nothing like half; this is a rhetorical flight.

<sup>7</sup> The stream passes under a low arch in the enclosing wall of the monastery, about half way up the present village, where the road is carried over it by a stone bridge. (See p. 2.)



separation of the flour from the bran by a fine sieve. Here now it fills a caldron in the next building, and gives itself up to be boiled over the fire, that it may afford drink to the brethren should a barren vintage ever have failed to respond to the industry of the cultivator, and the defect in the blood of the grape has had to be supplied from the produce of the cornfield. But it has not yet fulfilled its task, for the fullers, who are close by with their mill, invite it to come to them, rightly demanding that, as in the corn-mill it is careful how the brethren may be fed, so with them it may prepare for their being also clothed. But it makes no demur, nor does it refuse anything that is required of it, yea rather, alternately lifting and letting down those heavy pestles or mallets, whichever you like to call them, or certainly wooden feet (for this name seems more in agreement with the dancing business of the fullers), it relieves the fullers of their hard labour, and, if we may introduce something jocular among serious matters, it absolves them from the penalties of their sin.<sup>1</sup> O good God, what great consolations dost Thou provide for Thy poor, lest they should be swallowed up of overmuch sorrow, what great alleviations of punishment dost Thou dispense to the penitent, lest sometimes, perchance, they should be overdone by the vehemence of their labour. For how many backs of horses would that labour break, how many arms of men would it weary, were it not that that gracious river relieves us from it without any labour of our own, and, moreover, without it neither food nor raiment could be prepared for us. It indeed participates with us; it expects no other reward for its labour (with which it labours under the sun) than that when it has diligently accomplished all things well, it shall be permitted to go away free. Driving round so many whirling wheels in rapid rotation, thus it goes foaming out, so that it might seem itself to be ground and softened. Hence it is taken up by the currying-house, where it shows laborious diligence in making things that are necessary for the shoes of the brethren. In the next place, distributing itself little by little and through many parts of the abbey, it seeks out the various workshops in its duteous course, everywhere inquiring diligently where there is any need of its service, rendering its obedience without contradiction for whatever things have to be cooked, strained, turned, rubbed, watered, washed, ground, or softened. Lastly, lest anything conducing to a pleasant life should be wanting, and lest its works should be in any way imperfect, it carries away

<sup>1</sup> The buildings here referred to do not altogether correspond with those shown in Dom Milley's plate, but there may well

have been alterations in the arrangements from time to time.

all that is unclean, leaving all things clean behind it.<sup>1</sup> And now, all for which it had come being strenuously performed, with rapid speed it hastens to the river, that, rendering thanks to it on behalf of Clairvaux for all its benefits, it may answer to its greeting by a suitable return, and, immediately pouring back into it the waters which it had brought to us, thus of two makes one, so that there appears not a vestige of the union, and that which in its departure it had made to be small and slow, it now, being mingled with it, urges on in its sluggish flow.<sup>2</sup> But as we have now restored it to its own place, let us return to those little streams that we left behind us, which, being derived from the river, wander in passive courses through the meadows, that they may refresh the earth and water it, and make it to bud, lest when, in the spring time, the teeming earth brings forth its produce, the new-born grasses should either wither for lack of moisture, or need to be watered by drops of rain besought of the clouds, being sufficiently nourished by the bounty of the kindred river. These little streams, or rather furrows, after they have done their work, are swallowed up again by the river which had poured them forth, and now the whole of the Aube, being collected together, hastens down the valley in its headlong course. But inasmuch as we have now conducted it still further, and, according to the words of Solomon,<sup>3</sup> it is returned to its own place, let us also return to the point from which we have digressed, and let us, as it were, skim over the spreading plain of the meadow in a concise description. That place has much of beauty in it, much because it soothes wearied minds and dispels anxious sorrows, much because it stirs up to devotion them that seek the Lord, and reminds us of that supernal sweetness after which we sigh, while the smiling face of the earth feeds the eyes with manifold colour, and breathes into the nostrils a sweet-smelling fragrance. But also, while I behold the flower, while I perceive the odour, the meadows relate to me the histories of ancient days. For while I drink in the delights of the fragrance,<sup>4</sup> it occurs to my mind that the smell of the garments of the patriarch Jacob was likened to the sweet-smelling odour of a field which the Lord hath blessed. And while I refresh my eyes with colour, I call to mind that this spectacle of the flowers of the field was preferred to the purple of Solomon, who in all his glory

<sup>1</sup> It would, of course, pass under all the *domus necessarie*; these are shown, but not referred to, in Dom Milley's plate. (See plan, between 58 and 67, and note after 57, p. 18.)

<sup>2</sup> The Aube stream and St. Bernard's are now combined at the spot where the latter may have been carried over the former by an aqueduct. (See plan,

near 43.) On our way from the station to the village we may see the two streams passing out under the wall and through the meadow (p. 2), which meadow is traversed by the modern road.

<sup>3</sup> *Ecc.* i. 7.

<sup>4</sup> Perhaps the writer was thinking of the violets. (See note 3, p. 15.)

could not equal the beauty of the lilies of the fields, while yet there was wanting neither the art of his wisdom nor material at his command. And so, while I am enjoying my outdoor employment, I am not a little delighted with the hidden mystery. This meadow, then, is cherished by the irrigation of the river that runs through it, and sends down its roots to the moisture; therefore it will not fear when heat cometh.<sup>1</sup> Lengthways, moreover, it is extended over so great a tract of land, that when the shorn fleece of grass has been dried into hay by the sun, twice ten days are quite enough for the convent to take its rest. By no means, however, is that labour left to the monks alone, but, together with the monks, lay brethren, oblates, and hired servants innumerable, gather up the mown grass, and sweep the ground with wide-set rake.<sup>2</sup> Two granges<sup>3</sup> divide this meadow between them, to which, as if to do away with all dispute, comes the river Aube, a just umpire and measurer, which, assigning to each his own part in the line of distribution, makes itself the boundary, which neither side may venture to pass in order to invade the other. You would believe that these granges were not the dwellings of lay brethren, but the cloisters of monks, if it were not that their inhabitants put out yokes for oxen, or ploughs, or other implements fitted for rustic labours, and that no books are ever opened there.<sup>4</sup> For, so far as the buildings go, you would say that they were suitable for a great convent of monks, and would beseem such a place in beauty and be sufficient in extent. In the part of the meadow that is next to the wall, there is made out of the solid field a liquid lake, and where in former times the sweating labourer had mowed the hay with his sharp sickle, there the rowing brother sits, borne on his nimble wooden horse, having the light oar for spurs to urge him on his way, and for a bridle to guide him over the smooth level of the liquid field.<sup>5</sup> Under the water is spread the net in which the little fish is caught, and baits are prepared for it on which it freely feeds; but there lies hid inside them a hook, with which the heedless one is taken, by which example we are taught to spurn pleasures, because pleasure that is bought with pain is a hurtful thing, and no one is permitted to be ignorant of its sorrowful effects,

<sup>1</sup> *Jer.* xvii. 8. *Vulg.*: "Non timebit cum venerit æstus." The whole sentence is literally applicable at the present time.

<sup>2</sup> Read "verrit." Ovid, *Rem. Amoris*, 192.

<sup>3</sup> The granges here referred to seem to be that within the outer monastic enclosure, at the west end (p. 4), and the grange of Outre-Aube (p. 4).

<sup>4</sup> There is a Cistercian statute ordering that no lay brother is to have a book,

nor is he to learn anything but the Paternoster, Credo, Miserere, and Ave Maria, and the responses to be made at his profession. (*Cistercian Statutes*, reprinted from the *Yorkshire Archæological Journal*, p. 97; *Ibid.* x. 504.)

<sup>5</sup> Matters are now again reversed, for the lake has been drained and its banks have been spread over its bed, so that it is again dry land, used as gardens, and vegetables grow where once the fishing nets were spread.

unless it be the man who either has not sinned or has not well repented of his sin. May God remove far from us all such delectation as has death placed by the entrance to it, and which, according to the wise man's description, is like bees flitting about; where one of them has poured out the pleasant honey, it flies away, and then strikes at smitten hearts with too tenacious sting.<sup>1</sup> The circuit of the lake, which is knitted together by osiers along the deep edge of the bank, is bound by their roots, lest the earth should give way, and yield to the wash of the waves. This lake is fed by the stream that flows by it, which, separated by a distance of scarcely thirty-six feet, pours into it through little channels the waters by which it may be fed, while it returns them through channels of the same size.<sup>2</sup> Hence it always remains at the same level, so that it neither rises by reason of the waters that flow in, nor falls because of those that flow out, for it receives and discharges them in equal measure. But, while I am borne along over the plains at a flying pace, while panting for breath I make my way upon the hills, as I describe either the empurpled surface of the meadow,<sup>3</sup> painted by the hand of Wisdom itself, or the tops of the hills crested with trees, that sweetest spring,<sup>4</sup> at which I have so often drunk, and which has deserved so well of me, but has been by me so ill requited, accuses me of ingratitude. It reproaches and upbraids me that it has often served to quench my thirst, that it has humiliated itself not only to the washing of my hands, but also to that of my feet, that it has rendered to me many services of humanity and beneficence, but that I have answered to its good deserving by a bad requital, in that it has found the last place in my list of localities, and has very nearly found not even that, when, however, the first place was due to it for the reverence that I owe to it. And indeed I cannot deny that I have thought of it too late, while I have remembered anything else before it. But, silently gliding through downward courses and to and fro, so that not even by a gentle murmur can its running be discerned, like the waters of Siloa,<sup>5</sup> that go softly, as if it feared to come to light, everywhere it hides its head, and avoids being seen. Why should I not believe that it wishes to be passed over in silence,

<sup>1</sup> Boetius, *Cons. Phil.*, lib. iii. metr. vii.

<sup>2</sup> A single stream, brought from the upper reach of the artificial Aube stream, now flows through the gardens and close by the hotel, the *lavoir*, or washing-house, of which is fixed beside it.

<sup>3</sup> Here, again, the writer was perhaps thinking of the violets, which were flowering in some profusion in the drier parts of the meadow, especially close by the monastery wall, April 5, 1905.

<sup>4</sup> The Well of St. Bernard, which issues from the south-west side of the valley, about a mile up from Clairvaux. It is a copious spring, with a comparatively modern (seventeenth century?) well-house over it, surmounted by a plain cross. The water is collected in a large square tank, from which it flows in a small stream to join the larger running stream that goes all down the valley and into the monastic enclosure.

<sup>5</sup> *Is.* viii. 6.

when I perceive that it does not wish to be seen unless under a roof? This spring, then (which is said to be an indication of a good spring), rises opposite to the rising sun, so that during the summer season it salutes the rosy face of glittering morn<sup>1</sup> that appears on the other side of the valley. Lest it should admit anything that might defile it, it is covered and closed in by a hut, or, that I may speak with more reverence, let me say a small and beautiful tabernacle.<sup>2</sup> Where the hill pours it out, the valley swallows it up, and, in the place where it arises, there it dies, so to speak, and is buried.<sup>3</sup> But you must not expect the sign of Jonas the prophet,<sup>4</sup> that it should lie hidden away for three days and three nights, for immediately, about a mile away, within the cloister of the monastery, it makes its way, as if resuscitated from the heart of the earth, and appears in a manner come to life again, offering itself to the sight and use of the brethren, that from that time its lot may never be cast with any but holy men.<sup>5</sup>

#### NOTE ON THE PLAN.

This plan makes no attempt to show the internal construction of any of the buildings, only their situations. It is a ground plan, and therefore does not distinguish places above the ground floor stage. (See note on Nos. 55-57.) As it is based on birds-eye views taken in 1708, it may show buildings that did not exist in medieval times, or may not show some that did. Vacandard and Milley show little plans of the grange of Outreaube in the margins of their plans, but as these may be at first sight misleading as to the situation of this grange, and are of no great practical interest, they have been omitted here. In one of Milley's views he shows Outreaube in its proper place, over the bridge and beyond the Aube.

#### REFERENCES TO THE PLAN.

- 1 Centre of the approaches to Clairvaux.
- 2, 2 Roads to Bar-sur-Aube.
- 3, 3 Roads to La Ferté.
- 4 Road to Bar-sur-Seine.

<sup>1</sup> It faces north-east, not east.

<sup>2</sup> The predecessor of the present well-house.

<sup>3</sup> Part of the water still comes down in an underground conduit, supplying the drinking water for the prison.

<sup>4</sup> *St. Mark*, viii. 12.

<sup>5</sup> The beautiful crystal-clear stream from the valley, which includes the water

from St. Bernard's Well (note 4, p. 15), divides when it comes to the west end of the monastic enclosure, one portion passing through the western or outer part of the same, supplying a *lavoir*, watering gardens, etc., the other and larger portion passing just outside the south wall, and entering under the wall a little to the right of the south entrance, where it is crossed by a bridge (p. 2).

- 5 St. Bernard's beck.
- 6 Precinct wall.
- 7 Hills on the sides of the valley, approaching each other higher up.
- 8 First entrance.
- 9, 9 Workmen's habitations.
- 10, 10 Granges and stables.
- 11, 11 Smiths' shops.
- 12 Old Monastery.
- 13 Its square chapel, with covered walk all round.
- 14 Slaughter-house.
- 15 Travellers' Lodgings (*Diversorium*).

NOTE.—Meglinger was put up here in 1667. *Iter Cisterciense*, in Migne, P.L., vol. 185, col. 1505.

- 16 Brick and tile shed.
- 17 Brick and tile kiln.
- 18 Prisons for seculars.
- 19 Public wine-press.
- 20 Terrace for walking.
- 21 Auditory.
- 22 *Sexus Hospitium*. As I have not been able to ascertain what this means, I leave it untranslated.
- 23 South gateway.
- 24 Outside walk.
- 25 Roads to Châteauvillaine.
- 26 Road to Chaumont.
- 27 Watercourse brought from the Aube.
- 28 Lake or Pond, called, in one of Milley's views, *Stagnum de la Norôy*. Now drained; p. 16, note 5.
- 29 Small plan of Outreaube; omitted in this plan.
- 30 Small prospect of part of same; also omitted here.
- 31 Entrance to the Monastery.
- 32 The Lord Abbot's house.
- 33 Guest-house.
- 34 Stables.
- 35 Ice-house.
- 36 The Abbey wine-press and hayloft.
- 37 Beer-cellar (*Cella Cerevisiaria*).
- 38 The Great Tun (*Dolium Majus*), *i.e.* the building over the tun.

NOTE.—Meglinger, on the occasion of his visit in 1667, was greatly impressed by the size and construction of this tun. He stepped it out in the darkness, and found it to be 30 feet across and 18 feet high. It was not bound by hoops of birch, but by great beams, long oak planks, and wedges, so that it could be taken to pieces at any time. *Iter Cist.*, ubi cit.

- 39 Bakehouse and ovens.
- 40 Corn mill.
- 41 Oil mill.
- 42 Saw mill.
- 43 Bark mill.
- 44, 44 Curriers' shops and tan-pits.

- 45 Infirmary of Conversi.
- 46 Chapel of same.
- 47 Hall of same.
- 48 Chapter-house of same.
- 49 Cellars, with granary over, p. 3.
- 50 Pentise, leading to the church.
- 51 Church.
- 52 Sacristy.
- 53, 53 Dormitory stairs (night and day).
- 54 Regular Cloister, and Lavatory.
- 55 Small Book-closet.
- 56 Chapter-house.
- 57 Parlour.

NOTE.—Over the three last, and extending southward over cellarage, was the Great Dormitory, and at right angles eastward was the *Necessarium* or Rere-dortor. These are not referred to in the plan, because it is a ground plan, and they were on the first floor above. Milley in one of his views shows the Rere-dortor quite distinctly, but calls it *Cella Pomaria*. There may have been a vaulted place on part of the ground floor, used as an apple chamber.

- 58 Warming house.
- 59 Frater (*Refectorium*).
- 60 Kitchen.
- 61 Graveyard.
- 62 Cell, Chapel, and Garden of St. Bernard.

NOTE.—The cell was a wooden hut, still standing in 1667, when it was visited by Meglinger, and, apparently, in 1708, as it is shown in Milley's plan. Hither the saint retired and lay sick in his latter days, and in the chapel he died, as was supposed. Meglinger, *Iter Cist.*, ubi cit.

- 63 The Prior's Audience-chamber (*Diurnum Prioris receptaculum*).
- 64 Chapel of the Counts of Flanders, with a charnel under it. Here were placed the bones of the monks who had died before the removal of the monastery to the second site.
- 65 Writing carrels; library over.
- 66 Lesser Cloister and Lavatory.
- 67 Hall for the discussion of theses.
- 68 School of Theology.
- 69 Infirmary.
- 70 Place for washing the dead.
- 71 Infirmary hall.

NOTE.—The extension at right angles eastward may have been used as the Infirmary Chapel.

- 72 Novices' quarters.
- 73 Earlier Abbots' House.
- 74 Earlier Guests' quarters.
- 75 Earlier Abbots' Hall.
- 76 The Great Garden.
- 77, 77 Fish stews.
- 78 Orchards (*Viridaria*).
- 79 Dovecote.
- 80 Chapel of the Holy Crown.

## ACASTER MALBIS AND THE FAIRFAX FAMILY.

By W. PALEY BAILDON, F.S.A.

THE fact that some time in the late fourteenth or early fifteenth century a cadet of the Fairfaxes of Walton became possessed of the manor of Acaster Malbis and assumed the name of Malbis in lieu of Fairfax, has long been known to Yorkshire genealogists. It is duly recorded in the pedigrees by Foster,<sup>1</sup> Plantagenet-Harrison,<sup>2</sup> and Skaife,<sup>3</sup> but is not mentioned in either Flower's or Glover's Visitation.

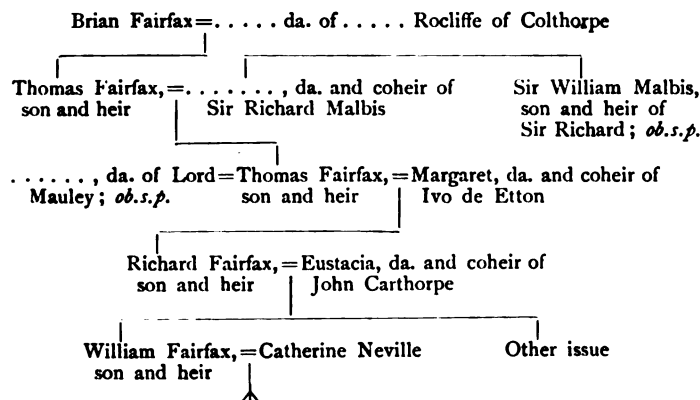
A considerable discussion of the matter will be found in the *Herald and Genealogist*, but as no documents are there set out, and many of the references are vague, it will not be amiss to retell the story with some additional evidence, in a volume more likely to be accessible to Yorkshire readers.

I have recently found the record of a lawsuit which I think must be the one cited in that discussion by "James Phillippe," *i.e.* Plantagenet-Harrison, as a *Quo Warranto Roll*. He gives no reference, *more suo*, and his quotation is not quite accurate. Some other legal proceedings have also been found, the details of which are sufficiently interesting to merit printing at length.

Before doing so, however, it will be advisable to give the existing pedigrees covering the descents in question, as we shall thus be better able to see where they are wrong.

The first in order of date is Flower's, recorded in his Visitation of 1563-4.<sup>4</sup>

### FLOWER'S PEDIGREE.



<sup>1</sup> *Pedigrees of Yorkshire Families.*

<sup>2</sup> *History of Gilling East*, p. 257.

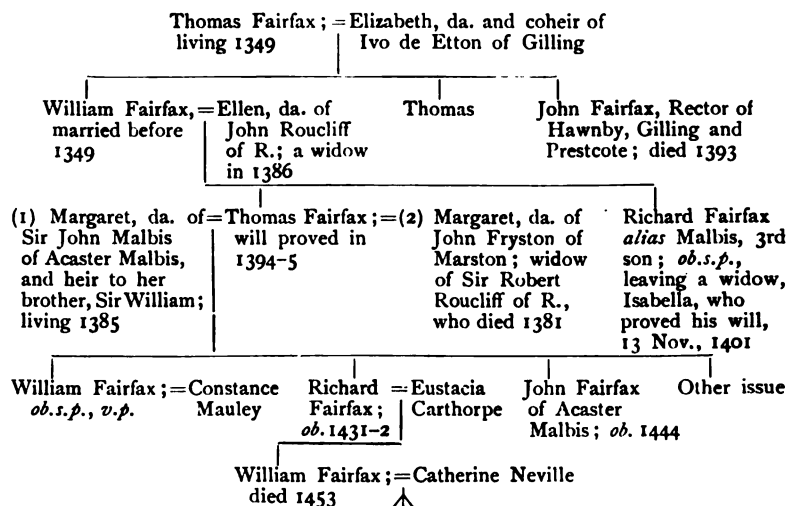
<sup>3</sup> *Herald and Genealogist*, vii. p. 145.

<sup>4</sup> *Harleian Soc.* xvi. 117. In this and the subsequent pedigrees only the material portions are here given.



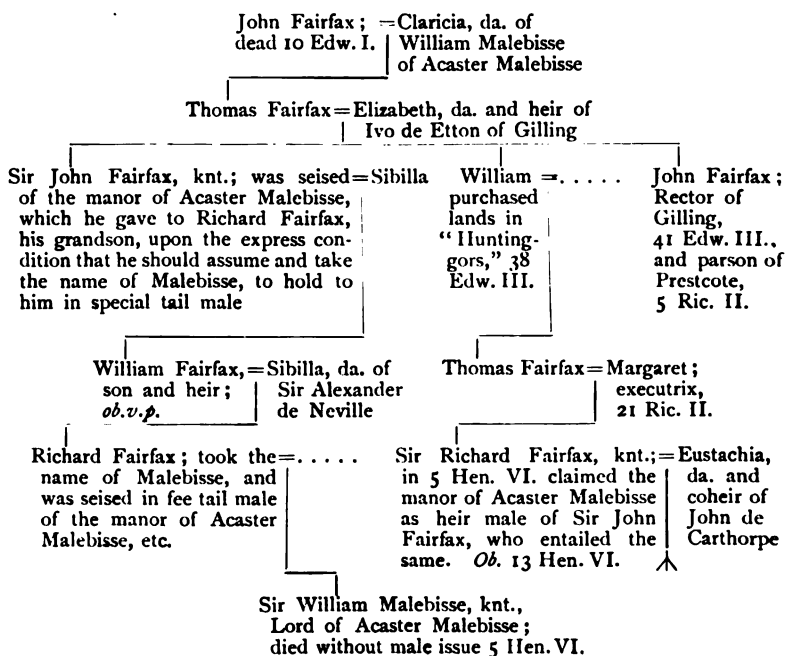
It will be seen that, beyond recording the marriage with the Malbis heiress, this pedigree throws no light whatever on the change of name.

## SKAIFE'S PEDIGREE.



Foster's pedigree is practically identical with this.

## PLANTAGENET-HARRISON'S PEDIGREE.



The contradictions between these are numerous and important; it is not necessary to point them out in detail. Unfortunately, none of the families immediately concerned were tenants in chief, so that we miss the invaluable assistance given by the Inquisitions *post mortem* in fixing dates of deaths and names and ages of heirs. Ivo de Etton was a prominent man in Yorkshire in the reign of Edward I., and it is quite clear that Flower was wrong in placing the marriage with his heiress so low down in the pedigree.

The pivot on which the story hinges is John Fairfax, the Rector of Gilling; he it was who acquired the manor of Acaster Malbis, and settled it on his nephew Richard Fairfax, son of his brother William, on condition that he assumed the name and arms of Malbis. This settlement does not appear to be in existence, but the fact and the general purport of it appear from the subsequent legal proceedings. I shall have something more to say on this head presently.

The Rector's will<sup>1</sup> was dated June 7th and proved June 15th, 1393. He bequeathed to Richard Malbys a gold brooch, set with emeralds, a phylactery or charm [*breve*], which he usually wore on his breast, and a silver cup with the arms of Neville.<sup>2</sup> A note on page 190 states that he was a younger son of William Fairfax of Walton, by Ellen, daughter of John Roucliffe of Roucliffe. There can be little doubt that this legatee is the Richard son of William Fairfax who took the name of Malbis.

One other Fairfax will helps us, that of Thomas of Walton, dated on the feast of SS. Fabian and Sebastian [Jan. 20], 1394-5, and proved on January 26th following. He appointed Richard Malbys, his brother, one of the supervisors.<sup>3</sup> This Thomas is stated in a footnote to have been the son of William Fairfax, by Constantine, daughter and coheir of Peter de Mauley VII., and to have married Margaret, daughter of John de Friston of Marton and widow of Sir Robert Roucliff of Roucliff. This does not appear to be quite accurate; Thomas's mother was Ellen, daughter of John Roucliffe, and Margaret Friston was Thomas's second wife, his first wife and the mother of his children being Margaret Malbis.

Richard Malbis, formerly Fairfax, died on November 1st, 1401. He was not a tenant in chief, but for some reason or other the usual writ was directed to the Escheator to hold an inquisition. This is a fortunate circumstance, as we gain from it some very useful information.

<sup>1</sup> *Test. Ebor.* i. 186.

<sup>2</sup> The testator had been appointed one of the executors of the will of John, Lord Neville of Raby, in 1386, and had

a gilt cup left to him, probably the cup mentioned above. (*Surtees Soc.*, Wills and Inventories, i. 40, 42.)

<sup>3</sup> *Test. Ebor.* i. 203.

Inquisition held at York, July 12th, 3 Henry IV., 1402, after the death of Richard Malbyssh. The Jury say that he held no lands in Yorkshire in chief; but he held the manors of Acastremalbyssh, Copmanthorp and Scalton<sup>1</sup> to himself and the heirs of his body by grant from John Fairefax, clerk; the manors of Acastremalbyssh and Scalton are held of Richard Fairefax by knight service. He died on All Saints' Day last; William is his son and heir, aged 9 years and more.<sup>2</sup>

Here we get John Fairfax, the settlor, described as "clerk," which, coupled with the notes from the two wills just given, leaves little doubt, I think, of his identity with the Rector of Gilling.

The Richard Fairfax, of whom Acaster Malbis was held, was Richard Malbis's nephew, the eldest surviving son of Thomas, who married the Malbis heiress.

Skaife's pedigree states that Richard Fairfax *alias* Malbis died *s.p.* [which this Inquisition proves to be incorrect] at Bishopthorpe, leaving a widow Isabella, who proved his will on November 13th, 1401. This will is not in the printed Calendar, and no authority is given.<sup>3</sup>

Isabella, the widow, was not left in peaceful possession of Acaster; for, on the very day of her husband's death, Richard Fairfax, his nephew, took forcible possession. This we learn from her petition to the King in Parliament in the following year.

Petition of Isabell widow of Richard Malbys, 1402, 4 Henry IV. She had been peaceably seised of the manors of Acastre Malbys, Skalton and Coupmanthorp, co. York, by the gift and grant of Sir Thomas Colvyll, Sir Thomas Fitz Henry, John Conyers, and others, for a long time past, until All Saints' Day, 3 Henry IV., [1401], when one Richard de [*sic*] Fairefax, with a great number of armed persons, ejected her. She prays to be restored to possession, but is met with the curt answer: "*Sue a la Commune Ley.*"<sup>4</sup>

Apparently she took this advice, and sued at Common Law, having in the meantime married a second husband, one Nicholas Saxton.

#### 1404. Michaelmas Term.

Nicholas Saxton and Isabel his wife complained of Richard Fairefax, Guy Fairefax, "Rohandus" [or "Rohaudus"] Fairefax,

<sup>1</sup> Now Scawton.

<sup>2</sup> *Inq. p. m.*, Chancery, 3 Hen. IV., No. 14.

<sup>3</sup> After the above was in type, Mr. William Brown, F.S.A., sent me the following note:—"Archbishop Scrope's Register, fo. 141d. Nov. 13, 1401, will of

Richard Malbys, esq., deceased, proved by Isabel, the relict and executrix. Unfortunately, the will has not been entered in the register."

<sup>4</sup> *Rot. Parl.* iii. 520; the original petition has been preserved, Ancient Petitions, No. 1096.

Thomas Fairefax, John Fairefax of Walton, Brian Fairefax, clerk, William Thwaytes of Merston in Ansty, William Davyll of Bilton, Thomas Davyll, Robert Bilsthorp,<sup>1</sup> Thomas Bilsthorp of Bilsthorp, William de Fencotes, esq., John de Synderby, John de Bentley of Benyburghlaunde, John de Hoton of Cathall, Richard de Basyngby [and others, named], for forcibly breaking the closes and houses of the said Isabel at Coupmanthorpe, Scalston and Acastre Malbys, and killing two oxen, four bullocks and twenty sheep, value 10 marks, there found, and seizing and taking away twenty oxen and thirty bullocks, value £30, there found, and trampling and consuming her corn and grass there, value 100s., by depasturing cattle therein, and assaulting her men and tenants there, and beating, wounding and ill-treating them, and threatening them with death or mutilation, so that they for a long time dared not cultivate her land or do any other business there for fear of death, and thereby the said Isabel lost the rents and services of her men and tenants; and for doing other enormities, to the grave damage of the said Isabel and against the King's peace. The plaintiffs, by John Wither, their attorney, say that on the Monday after the Feast of St. Peter ad Vincula [Aug. 1], 2 Henry IV. [1401], the said Richard Fairefax and the others, armed with swords and bows and arrows, did these things, and assaulted and threatened William Duffeld, John Campsall and William Kitson, all of Acastre, her men and tenants, as aforesaid; etc. etc. She claims £100 damages.

Richard Fairfax appears by Thomas Lynton, his attorney, and denies the coming with force and arms, and the whole of the alleged trespass, except the taking of twenty oxen and thirty bullocks; and as to this he says that four of the oxen belonged to William Morys of Acastre, four to Roger de Walton of Acastre, six to John Betonson of Acastre, and six to John Campsall, and that ten of the bullocks belonged to John Moreton of Coupmanthorpe, eight to Henry Constable, six to Robert Watson, and four to Richard Morton,<sup>2</sup> all of which persons had delivered the oxen and bullocks to him, so that it was lawful for him to take them, and he denies that they belonged to Isabel.

The plaintiffs thereupon joined issue, and the Sheriff was directed to summon a jury.<sup>3</sup>

I have not found any record of a judgment in this case. Richard Fairfax had started a cross-action against the Saxtons, and it is not unlikely that they abandoned their own action on having judgment given against them in the other.

<sup>1</sup> Query, Wilsthorpe or Wilstthrop, near Bridlington.

<sup>2</sup> De Banco 575, Mich., 6 Hen. IV., m. 134.

<sup>3</sup> This only makes 28, instead of 30.

## 1404. Michaelmas Term.

Richard Fairfax *v.* Nicholas Saxton and Isabella his wife to give up to him the wardship of the land and heir of Richard Malbyssh, which belongs to the plaintiff by reason that the said Richard Malbyssh held his land of him by military service. The defendants did not appear, and had been distrained. The Sheriff was ordered to distrain them further, and in the meantime to make public proclamation at three full County Courts for them to appear in Easter Term.<sup>1</sup>

I cannot say whether the Saxtons appeared in Easter Term or not, but in Trinity Term, 1406, the case was argued.

## 1406. Trinity Term.

Nicholas Saxton and Isabel his wife were summoned to answer Richard Fairfax in a plea that they do give up to him the wardship of the land and heir of Richard Malbyssh, which belongs to him by reason that the said Richard Malbyssh held his land of him by military service. The said Richard Fairfax, by Thomas de Lynton, his attorney, says that whereas the wardship of the manors of Scalton, Acastre Malbys and Coupmanthorpe, and of William, son and heir of the said Richard Malbyssh, belongs to him by reason that one John Fairfax, Rector of the church of Gillyng in Ridale, kinsman of the said Richard Fairfax, whose heir he is, was formerly seised of the said manors in his demesne as of fee, and gave the same, with all appurtenances, etc., together with the name and arms of Malbys [*cum cognomine et armis de Malbys*], as fully and freely as he, the said John, ever had them, to one Richard, the son of his brother William Fairfax, to hold to the said Richard son of William and the heirs male of his body lawfully begotten, of the said John and his heirs by the service of one knight's fee and a yearly payment of 100 marks [*£66 6s. 8d.*] for the first 6 years, and thereafter one rose at the Nativity of St. John the Baptist, if demanded, and doing therefor to the chief lords of the fee the services due and of right accustomed. John Fairfax died without heir of his body, and the right to the services and the reversion descended to one Thomas, as kinsman and heir, namely son of William, brother of the said John; and from Thomas the right descended to Richard the plaintiff, as son and heir. The said Richard Malbyssh died in the homage of the said Richard Fairfax, and the said Nicholas and Isabel have unjustly deforced the said Richard Fairfax of the wardship aforesaid, whereby he is damaged to the amount of *£300*.

<sup>1</sup> De Banco 575, Mich., 6 Hen. IV., m. 121*d.*

Nicholas and Isabel appear by John Wyther, their attorney, and do not admit that John Fairfax gave the said manors to Richard son of William and the heirs male of his body, as the plaintiff alleges. They say that Richard Malbyssh was formerly seised of the said manors in his demesne as of fee, and, long after the supposed gift by John Fairfax, by his writing containing a clause of warranty, he gave those manors to Thomas Colvile, knight, Thomas Fitz Henry, John Conyers, and Richard Sproxton, clerk, their heirs and assigns, who afterwards gave those manors to the said Richard Malbyssh and the said Isabel, then his wife, and the heirs of their bodies, with remainder to the right heirs of the said Richard; Richard and Isabel thus became seised in fee tail, and they had issue William, the aforesaid heir; Richard Malbyssh afterwards died, and Isabel married Nicholas Saxton; the said William son of Richard Malbyssh had sufficient land in fee simple by inheritance from his father [to perform the above-mentioned warranty].

Richard Fairfax, in reply, said that the grant to Thomas Colvile and the other feoffees was done by fraud and collusion, with the intent to deprive him of the said wardship, and denied that William son of Richard had any fee simple by descent from his father. This in turn was denied by the defendants, and a day was given in Michaelmas Term, to hear judgment.

In that term an Order was made for the Sheriff to inquire by the oath of good and lawful men, what the said manors were worth per annum, what time had elapsed since the death of Richard Malbyssh, whether the heir was married or not, and if so, then by whom, and how old he was at the time of the marriage, and what the value of the marriage was, and if the heir is of full age or not, and what damage the plaintiff has sustained by reason of the detention of the wardship.

In Hilary Term, 1407, Fairfax appeared by his attorney. The Sheriff sent the Inquisition taken before himself at York, on the Thursday before the Circumcision, in the 8th year [December 30, 1406]; the jury say on their oath that the manor of Scaltun is worth yearly beyond reprises 20 marks [ $\pounds 13$  6s. 8d.], the manor of Acaster Malbys is worth yearly beyond reprises  $\pounds 40$ , and the manor of Coupmanthorp is worth yearly beyond reprises 10 marks [ $\pounds 6$  13s. 4d.]; that Richard Malbyssh died on the Feast of All Saints, in the 3rd year [1401], and that four<sup>1</sup> years and 2 months had elapsed up to the taking of the Inquisition; that William, son and heir of the said Richard, was married soon after the death of his father, namely on the Monday after the Feast of St. Hilary in the 3rd year [1402], to

<sup>1</sup> Should be five.

Sibil, daughter of Alexander Nevylle, chivaler, by Isabel, widow of the said Richard, in her pure widowhood; that William, son and heir of the said Richard, was aged 9 years at the time of the marriage, that he is not yet of full age, but was aged 13<sup>1</sup> years at the time of taking the Inquisition; that the marriage was worth 200 marks [£133 6s. 8d.] without fraud or guile; and they assessed the damages for the detention of the wardship of the land and heir at 400 marks [£266 13s. 4d.].

Thereupon Nicholas and Isabella by their attorney caused themselves to be separately essoigned as being in the King's service, Isabella as laundress [*quia lotrix*]. Fairfax challenged the essoign, on the ground that their attorney, John Wyther, was present in Court, and also that the words *unde judicium* had been omitted, which rendered the essoign insufficient; he therefore asked that the essoign be quashed, and that the default of the defendants in not coming should be recorded. The question was adjourned for argument until the octave of the Purification following.

On that day the defendants did not come, and Wyther, their attorney, failed to warrant the essoign. The Sheriff was ordered to distrain Nicholas and Isabella to appear in 15 days of Easter, to hear judgment.

On that day the matter was again adjourned *sine die*, because Nicholas was on the King's service in Picardy, in the suite of the King's brother, John, Earl of Somerset, Captain of the King's town of Cales, and had the King's protection for one year from the 7th of April in the 8th year [1407]. These letters of protection the King afterwards, for certain causes, revoked by other letters patent; and the Sheriff was ordered to resummon Nicholas and Isabel for 15 days from St. John the Baptist.

On that day came Fairfax and also Nicholas and Isabel by their attorney, and judgment was given by the Court that Fairfax should recover the custody of the manors aforesaid, and his damages for the value of the said manors from the time of the death of the said Richard Malbyssh and for the value of the marriage of the heir and for the unjust detention, assessed by the aforesaid Jury, viz. 1,050 marks [£700]; and Nicholas and Isabel are in mercy.<sup>2</sup>

#### 1407. Michaelmas Term.

The Sheriff of Yorkshire had been ordered to levy 200 marks [£133 6s. 8d.] of the goods and chattels of Nicholas Saxton and Isabel his wife, and to have the money here this Term to pay to Richard Fairfax for the value of the marriage of William son and

<sup>1</sup> Should be 14.

<sup>2</sup> De Banco 582, Trin., 7 Hen. IV., m. 316.

heir of Richard Malbyssh, who held his land of Fairfax by military service; and also 450 marks [ $\pounds 300$ ], to be paid to Fairfax for the value of the manors of Scaltoun, Acastre Malbys and Coupmanthorp from the time of the death of the said Richard Malbyssh; and also 400 marks [ $\pounds 266$  13s. 4d.], to be paid to Fairfax as damages for unjustly deforcing him of the wardship of the said land and heir, as found by an inquest lately made by the Sheriff. Richard Fairfax now appeared by Thomas de Lynton, his attorney. The Sheriff returned that he had levied  $\pounds 53$  11s. 8d., which was paid to Fairfax, and that there were no other lands or chattels belonging to Nicholas and Isabel in his bailiwick of which any further moneys could be raised at present. Fairfax admitted the receipt of the  $\pounds 53$  11s. 8d., and the Sheriff was ordered to levy  $\pounds 606$  8s. 4d.,<sup>1</sup> the balance of the 1,050 marks, and to have the money here in Hilary Term. The Sheriff made no return in Hilary or Easter Term.<sup>2</sup>

The result of this litigation was to establish Richard Fairfax's claim that his uncle, Richard Malbis, held the disputed manors in fee tail male and not in fee simple; that the manors were held of Fairfax by military service, and that he was consequently entitled to possession during the minority of the heir; and that Fairfax was entitled to the reversion of the property in case of the failure of the male heirs of Richard Malbis.

William Malbis, Richard's son and heir, was nine years old in 1402, and he would therefore come of age about 1414. He evidently took possession and retained it to his death, which apparently took place shortly before the next lawsuit. His widow, Sibil, had apparently refused to give up possession to Richard Fairfax, who thereupon started proceedings to compel her to do so.

Pleas of Assizes taken at York, before Robert Tirwhit and John Preston, the Justices, etc., on Tuesday next before the Nativity B.V.M., 5 Henry VI. [1426].

The Assize comes to recognise if Sibil who was the wife of William Malbyssh, knight, Alexander Nevyll, esq., and William Norton, have unjustly and without judgment disseised Richard Fayrfax, esq., of the manors of Acastre Malbyssh and Coupmanthorp.

Sibil comes by Robert Rasyn, her attorney; Nevyll and Norton do not come, but one Ralph Forster answers for them as their bailiff, and denies any injury or disseisin.

Sibil, by her attorney, answers as tenant of the said manors, and denies that Nevyll and Norton have any interest in the same. She

<sup>1</sup> Should be  $\pounds 646$  8s. 4d.

<sup>2</sup> De Banco 587, Mich., 9 Hen. IV., m. 339.



says that long before Richard had anything in the said manors, one William Malbyssh, knight, her late husband, was seised thereof as of fee, and thereof enfeofed John Langdon and William Hebson, to hold to them and their heirs for ever, and that afterwards Langdon and Hebson enfeofed the said William Malbyssh and Sibil of the said manors, to hold to them and the heirs of their bodies, with remainder to the right heirs of the said William Malbyssh. Afterwards the said William Malbyssh died, leaving the said Sibil him surviving, and she was seised of the said manors until the said Richard Fayrfax (by colour of a feoffment made by the said William Malbyssh to him long before the feoffment to Langdon and Hebson, and by which no interest in the said manors passed to him), entered into the manors over the possession of the said Sibil; and over his possession one John atte Gappe entered into the same; and over his possession the said Sibil entered into the same. And thereupon she craves judgment whether under these circumstances Richard ought to maintain his assize against her or not.

Fayrfax denies that William Malbyssh and Sibil had anything in the said manors by feoffment of the said Langdon and Hebson. He says that long before the said William Malbyssh had anything in the said manors, one John Fayrfax was seised thereof in his demesne as of fee, and gave them to one Richard Fayrfax son of William Fayrfax, to have and to hold those manors to Richard and the heirs male of his body, with the name and arms of Malbyssh [*Habenda et tenenda maneria illa . . . . . eidem Ricardo et heredibus masculis de corpore suo . . . . . cum nomine et armis de Mulbyssh*]; with remainder to Thomas Rouclyff and the heirs male of his body; with remainder to the said John Fayrfax and his heirs. The said Richard son of William had issue the said William Malbyssh, and died; and the said William Malbyssh, as son and heir of the said Richard, entered upon the said manors. And the said Thomas [Rouclyff] afterwards died without heir male of his body. And the said William son of Richard afterwards died seised of the said manors, without heir male of his body. And after his decease, the said Richard Fayrfax, the now plaintiff, as kinsman and heir of the aforesaid John Fayrfax, namely, son of Thomas son of William brother of the said John Fayrfax, entered upon the said manors, and was seised thereof, until the said Sibil, Nevyll and Norton unjustly disseised him. And he craves judgment.

Sibil repeats that Langdon and Hebson were seised of the said manors by virtue of the gift and feoffment of William Malbyssh, her late husband; and as to this puts herself upon the assize. And Richard Fayrfax, the plaintiff, does the like.

The recognitors [jury] say upon their oath that Langdon and Hebson were not so seised, as Sibil claims; but they say that the plaintiff was seised until the defendants unjustly disseised him; and they assess the plaintiff's damages at £40, and his costs at 20 marks.

It is therefore adjudged that Richard Fayrfax do recover his seisin of the said manors, and £53 6s. 8d. for his damages and costs. Fayrfax remitted the damages.<sup>1</sup>

This was the close of the lengthy litigation, and Richard Fairfax and his descendants remained in undisputed possession.

We are now in a position to correct Skaife's pedigree (which otherwise seems accurate) as follows:—

|   |   |
|---|---|
| Richard Malbis, formerly Fairfax, = Isabella. Married<br>3rd son of William Fairfax of<br>Walton; died 1 Nov., 1401;<br>will proved 13 Nov., 1401 | Nicholas Saxton<br>before Michaelmas<br>Term, 1404.<br>Living 1407. |
|---|---|

|   |   |
|---|---|
| Sir William Malbis, knt., son and heir; = Sibil, da. of<br>aged 9 in 1401; married in Jan., 1402;<br>dead 1426, <i>s.p.m.</i> | Sir Alexander Neville, knt.<br>Will proved 4 Oct., 1426 |
|---|---|

One important question still remains unanswered: How comes it that John Fairfax, the Rector, was in a position to make the settlement he did?

Mr. Skaife attempts to answer this question thus: quoting rather vaguely from "the late Canon Dixon's extracts from the *Analecta Fairfaxiana*," he says that in 1369, John Fairfax, Rector of Gilling, being entrusted by Sir Walter Malbis, conveyed Scalton, Acaster and Copmanthorpe to his nephew, Richard Fairfax, with remainder to Thomas Roucliff, and remainder to his own right heirs.<sup>2</sup> He also quotes a statement by Dodsworth, that "*Walterus de Malebisse vixit post patrem suum (Willelmum) et fecit Ricardum Fairfax heredum de Scalton, mutato nomine in Ricardum Malebisse.*"<sup>3</sup>

I am not aware what, if any, evidence there is in support of these statements, but I must confess that they do not strike me as particularly probable, and for this reason. If John Fairfax, the Rector, had been merely a trustee or feoffee for Walter Malbis when he made the settlement, we should expect to find that the ultimate remainder was to the right heirs of *Malbis*, the actual owner, and not to the right heirs of *Fairfax*, the hypothetical trustee. But it is quite clear that the ultimate remainder was to the heirs of Fairfax, and it seems to me to follow from this, as an absolutely necessary conclusion, that Fairfax was himself the unfettered owner, and not

<sup>1</sup> Assize Roll 1530, m. 6d.

<sup>2</sup> *Herald and Genealogist*, vii. 275.

<sup>3</sup> Dodsworth MS. iii. 123.

the trustee of Malbis. He may have been a purchaser from Malbis, but he was not his trustee.

The date, too, 1369, looks a little too early. Richard Malbis's son and heir, William, was aged 9 in 1402; he must therefore have been born in 1393, or a few months before or after that year. Now in 1369, twenty-four years earlier, Richard must, one would think, have been very young; marriages in the 14th century were often celebrated when the parties were mere children; and the "name and arms clause" seems rather unlikely to be applied to a small boy. Still, it is possibly correct; and I merely wish to bring out that, in the absence of the settlement itself, great caution is necessary.

One word more. The Fairfax marriages, as will be seen from the foregoing pedigrees, are in a state of great confusion. The pedigree makers seem agreed on some half dozen wives, but they shuffle them about like a pack of cards.

The Gilling match must, I think, be prior to John the Rector, for Gilling was one of his livings.

The Roucliff match, which Mr. Skaife appropriates to the Rector's brother, is more doubtful. It will be remembered that in the settlement a Thomas Roucliff was to succeed on the failure of the male heirs of Richard Malbis. The Roucliff pedigree given by Flower is extraordinarily confused, and I will not hazard a suggestion as to the identity of this Thomas. But, in view of the Fairfax-Roucliff marriage, it seems highly probable that he was a very near relative of John the Rector; and that, in turn, suggests that the Rector was a son of Ellen Roucliff, as stated in the note to his will.<sup>1</sup>

With regard to the identity of Sibil, wife of Sir William Malbis, it will be noticed that Sibilla, daughter of Sir Alexander Neville, is stated by Plantagenet-Harrison to have been the wife of William *Fairfax*. This is evidently an error; she was wife of William Malbis, not his grandmother. Now Alexander Neville, *esquire*, was one of the defendants with Sibil, widow of William Malbis, in 1426, and was very likely her brother. He is probably identical with Sir Alexander Neville of Thornton Bridge, whose will was proved June 25th, 1457.<sup>2</sup> This Sir Alexander is said to have been the son of Sir Ralph Neville of Cundal and grandson of Ralph, Lord Neville of Raby.<sup>3</sup> But there were evidently two Sir Alexanders, one of whom was already a knight in 1389,<sup>4</sup> and the later Sir Alexander may have been his son, and grandson (not son) of Ralph of Cundal.

<sup>1</sup> *Test. Ebor.* i. 190.

<sup>2</sup> *Ibid.* ii. 207.

<sup>3</sup> *Ibid.* note.

<sup>4</sup> Patent Rolls, 13 Ric. II., part 1, m. 28; 17 Ric. II., part 2, m. 29.

## THE ETHNOLOGY OF WEST YORKSHIRE.

BY JOHN BEDDOE, M.D., LL.D., F.R.S., V.P. ANTH. INST., AND  
JOSEPH HAMBLEY ROWE, M.B., ETC.

THE racial constitution of the population of Yorkshire has long been to me an attractive problem. I believe my attention was first drawn to it by Professor Phillips, who in the course of his geological work had had occasion to perambulate the greater part of the county, and had thus had unusual opportunities for studying its ethnology.

He thought he could distinguish three leading types,—the first the tall, fair, long-faced one, which he thought Swedish. The second he described thus: "Person robust; visage oval, full and rounded; nose often slightly aquiline; complexion somewhat embrowned, florid; eyes brown or grey; hair brown or reddish. In the West Riding, especially in the elevated districts, very powerful men have these characteristics." His third type had "lower stature and smaller proportions; visage short, rounded; complexion embrowned; eyes very dark, elongated; hair very dark." He found this type in the low country below Leeds and York, and in the vale of Derwent.

When, in 1873, I took the Anthropology of Yorkshire for the subject of a presidential address, I spoke of the second of these types, which Phillips was disposed to derive from Norway, as Anglian rather than Norse, and Norse (Danish) rather than British. If I were now to modify that opinion at all, it would be in the direction of ascribing more importance to the British or Brigantian element. The more we study the subject, the more clearly we see how difficult it is to root out, literally to extirpate, or even to clear away, to exterminate, an aboriginal breed of man, and how strong the tendency of such a breed is to reassert itself. And it is difficult to believe that the people of the little British kingdom of Elmet were entirely cleared away; but if they were, they would have been driven either into Lancashire or into the upper portions of the West Riding river-valleys. Professor Allbutt and some other observant persons have told me they thought they recognised British, or pre-Anglian, types in the remoter valleys.

Now there are several things to be alleged against this belief. First there is the language, though I do not rest much weight on that. Prince Lucien Buonaparte calls it North-midland, I don't know

why, and divides it from that of Northern and Eastern Yorkshire. Both in the language and in the local names there seem to be fewer traces of the Celtic than there are further north, in Craven. The character, bold, rude, "dour," truthful, matter-of-fact, is more like the old Viking type than that of any known variety of so-called Celt. It might, perhaps, rather be said to be the English character with some of its virtues carried to excess. The capacity for music is remarkable, and rather Celtic than English. Giraldus ascribed it to the Northumbrians; but it must have been the West Yorkshiremen that he knew. With regard to the retention of the names of *Deifyr* and *Bryneich* in the forms of *Deira* and *Bernicia*, and of those of *Loidis* and *Elmet*, what shall we say of *Cantium* and *Vectis*? or of so many river and hill names in the south? As for the differences between the Northumbrian and the southern *weregylds*, they are worthy of consideration; but I do not think we are in a position to build upon them. Certainly the word "wallerwent" cannot be allowed to have the meaning of "Welshmen" which some would put upon it: neither philology nor common sense can allow it; but Coote's ingenious suggestion that it is a corruption of the Roman law-phrase, "*valore equantes*," commends itself to me. No doubt its adoption indicates a more intimate intercourse with Romanised Britons than extreme Teutonisers allow.

Probably the Bronze race penetrated hither in force, as they did into Derbyshire; but fine specimens of their type are now exceptional. It has been said, on the authority of hatters, that Yorkshire heads are broader than those of other counties. Dr. Venn's figures (Cambridge students) are slightly favourable to that view, but not, I think, beyond the limits of error. We have not for West Yorkshire such evidence from ancient skulls as Davis and Bateman have given us for Derbyshire, or Greenwell and Mortimer for the East Riding.

And as for the physical type or types, the light complexion is very unlike that of the earlier British or Iberian race, though we cannot say that the ruling Cymro-Gaelic stocks were not fair.

The following are my notes on the prevailing cast of feature in the streets of Leeds:—

"Generally light complexioned and rather undersized; face generally oblong rather than oval; flatness of the brows and absence of prominence of glabella, and of depression at the nasion (root of nose), are very striking; the nose is straight, sometimes cocked; mouth often well moulded; when the face is longer there is sometimes a more distinct glabella, with a nose straight or arched, and a face less wide in the lower part."

In Ripon the prevailing type is the same. The men seem oftener short than tall, their figures rounded, not athletic. Red hair, usually a pale red, is very common; nothing very remarkable in the colour of the eyes: hazel is common. In the best-looking people there is an approach to the Greek outline; these have broader heads, I think, and are fair. In most the occiput is rounded and moderately prominent. Flatness of glabella still striking.

Travelling northwards, at Thirsk Market I found a greater mixture of types. Tall fine men and women numerous; the straight-profiled type is very strong; but many, especially of the taller men, have arched noses and rather prominent brows. Men with black or very dark hair are usually of other types than those mentioned; they look to me more like Frenchmen or Bretons.

I have twice visited Keighley, with an interval of nearly forty years, during which there was no doubt a good deal of immigration and some emigration. But I do not think the prevailing physical type has altered very much. The combination of hazel-grey or neutral eyes with lightish hair, the frequency of which struck me much on my first visit, is perhaps not now so conspicuous; but the same light-haired stock still preponderates, and reminds me of the people I have seen at Leeds more than of those in the Craven country, where we have more reason to suspect the potency of Brigantian blood.

It was not until last year (1902) that I was enabled to make some observations on the head-form of the people of this district, and this through the courteous introduction of Professor Duff and of Mr. Cockshott, Chairman of the Keighley School Board, and the able assistance of Dr. Wilson, of Haworth. A number of men had been selected, on the ground (with one or two exceptions, who also belonged to the West Riding) of pure local descent so far as known; they were natives of Oakworth or of Haworth, at the head of the Worth Valley. Of these we were able to examine twenty, and the particulars regarding them are given in one of the tables appended. In several of them the surnames testified to a pedigree of many centuries in the district. They were mostly small farmers, artisans, masters on a small scale, or engaged in some department of the woollen manufacture. Though not selected on that ground, Dr. Wilson and I both thought them on the whole favourable specimens of the population, and I daresay their cerebral development was a little above the average.

When I first visited Haworth, in 1873, the impression I got of the people was that they were a fair race, much like the Keighley folk, with a very large proportion of neutral grey or hazel-grey eyes,

TABLE I. OAKWORTH A

|                       | Lengths   |           |           |            |           | Breadths  |      |     |     |       |     |     | Arcs |     |     |     | Nasal |     |
|-----------------------|-----------|-----------|-----------|------------|-----------|-----------|------|-----|-----|-------|-----|-----|------|-----|-----|-----|-------|-----|
|                       | Gl<br>Max | Fr-<br>in | Gl-<br>in | Oph<br>Max | Na-<br>mt | Fr-<br>mi | Step | Zyg | Aur | Max   | Mas | Big | Circ | Sag | Tra | Ant | Len   | Br  |
| 1                     | 189       | 192       | 185       | 189        | 108       | 105       | 125  | 135 | 130 | 150   | 129 | 102 | 576  | 356 | 362 | 293 | 50    | 34  |
| 2                     | 195       | 191       | 192       | 194        | 123       | 103       | 124  | 135 | 129 | 143   | 130 | 102 | 577  | 354 | 357 | 314 | ...   | ... |
| 3                     | 191       | 187       | 188       | 188        | 118       | 114       | 130  | 147 | 146 | 162   | 139 | 115 | 588  | 350 | 368 | 299 | 57    | 39  |
| 4                     | 200       | 202       | 202       | 199        | 122       | 107       | 121  | 144 | 141 | 158   | 144 | 109 | 602  | 375 | 382 | 309 | 51    | 33  |
| 5                     | 195       | 199       | 192       | 198        | 113       | 108       | 131  | 136 | 131 | 150   | 122 | 112 | 568  | 370 | 385 | 304 | 50    | 42  |
| 6                     | 195       | 193       | 185       | 193        | 121       | 112       | 134  | 136 | 132 | 153   | 142 | 108 | 582  | 371 | 358 | 297 | 53    | 35  |
| 7                     | 194       | 191       | 193       | 193        | 116       | 106       | 127  | 143 | 140 | 154   | 138 | 109 | 576  | 360 | 358 | 299 | 50    | 39  |
| 8                     | 204       | 195       | 195       | 200        | 122       | 109       | 125  | 141 | 140 | 156   | 145 | 107 | 592  | 370 | 372 | 303 | 55    | 33  |
| 9                     | 187       | 186       | 184       | 184        | 115       | 108       | 129  | 136 | 135 | 153   | 143 | 113 | 566  | 345 | 368 | 289 | 51    | 37  |
| 10                    | 193       | 195       | 191       | 193        | 118       | 100       | 123  | 136 | 133 | 154   | 132 | 104 | 579  | 338 | 358 | 297 | 52    | 42  |
| Av <sup>s</sup> of 10 | 194       | 193       | 191       | 193        | 117       | 107       | 127  | 139 | 136 | 153   | 136 | 108 | 580  | 359 | 367 | 300 | 52    | 37  |
| 11                    | 194       | 191       | 189       | 190        | 115       | 108       | 132  | 143 | 141 | 157   | 133 | 112 | 579  | 357 | 352 | 292 | 54    | 38  |
| 12                    | 202       | 197       | 195       | 200        | 124       | 110       | 131  | 144 | 143 | 161   | 135 | 113 | 598  | 357 | 375 | 316 | 54    | 38  |
| 13                    | 187       | 184       | 180       | 184        | 120?      | 109       | 137  | 142 | 141 | 160   | 138 | 93  | 573  | 350 | 370 | 296 | 58    | 35  |
| 14                    | 190       | 191       | 185       | 188        | 126       | 107       | 130  | 139 | 138 | 153   | 133 | 106 | 574  | 356 | 375 | 295 | 48    | 36  |
| 15                    | 191       | 190       | 187       | 190        | 115       | 108       | 129  | 137 | 135 | 156   | 148 | 112 | 578  | 355 | 356 | 300 | 52    | 37  |
| 16                    | 201       | 196       | 193       | 199        | 123       | 110       | 135  | 137 | 135 | 157   | 146 | 108 | 600  | 359 | 384 | 298 | 50    | 37  |
| 17                    | 196       | 194       | 194       | 195        | 115       | 109       | 119  | 138 | 131 | 144   | 131 | 116 | 573  | 335 | 350 | 300 | 52    | 36  |
| 18                    | 186       | 179       | 178       | 184        | 122       | 103       | 120  | 136 | 133 | 145   | 133 | 105 | 555  | 338 | 355 | 296 | 54    | 39  |
| 19                    | 187       | 189       | 183       | 188        | 118?      | 105       | 129  | 140 | 137 | 152   | 136 | 111 | 570  | 340 | 375 | 299 | 49    | 33  |
| 20                    | 198       | 197       | 196       | 195        | 117       | 111       | 133  | 142 | 139 | 158   | 139 | 112 | 601  | 365 | 374 | 300 | 50    | 40  |
| Av <sup>s</sup> of 10 | 193       | 191       | 188       | 191        | 119       | 108       | 129  | 140 | 137 | 154   | 137 | 109 | 580  | 351 | 366 | 299 | 52    | 37  |
| Do. 20                | 193.6     | 192       | 189       | 192        | 118       | 107       | 128  | 139 | 136 | 153.8 | 137 | 108 | 580  | 355 | 36  | 300 | 52    | 37  |

Fr-in, Fronto-inial; from greatest convexity of forehead. Oph, the Ophryon. Na-mt, Nasio-mental; facial length. Fr-mi, least frontal. Step, Stephanic. Aur, from above condyle. Mas, Mastoid. Big, Bigonial. Sag, Sagittal; nasion to inion. Tra, Transverse; from centres of ear-holes. Ant, Intermeatoid over the glabella. F, Fair. Int, Intermediate. D, Dark. Scu, Scutiform. Sp, Spadelike. W, Wedge. Pent, Pentagonal. Vy, Very. Sl, Slightly. V, Vertical. Sq, Square. Do, Dome-like.

# WORTH, WORTH VALLEY.

| Eyes       | Hair           | Com | Face | F H         | Brs | Ch B | Nose  | Chin | Head  | Occ         | Type, &c.  |
|------------|----------------|-----|------|-------------|-----|------|-------|------|-------|-------------|------------|
| Neutral    | Grey           | F   | Scu  | V Sq        | ... | ..   | St    | ...  | Ov    | Rd          | ...        |
| Neut. Grey | Dark           | F   | Sp   | ...         | ... | Br   | St    | Ang  | Obl   | ...         | ...        |
| Blue       | Brown (Gr)     | F   | Rd   | Dom<br>Br L | ... | Br   | Aq    | ...  | Rd    | ...         | Bronze     |
| Blue       | Dark           | F   | Obl  | Do          | ... | Sm   | St    | Br   | Ov    | Pr          | Angl       |
| Blue       | Dk Brown       | Int | Obl  | V           | ... | ...  | St    | ...  | Ov    | Pr          | ...        |
| Blue       | Brown          | Int | W    | V Do        | ... | ...  | St    | ...  | Ov El | Pr          | Son of 5   |
| Blue       | Br'wn (d'kish) | F   | Scu  | Do          | ... | ...  | Sin   | ...  | Sph   | M           | Craven     |
| Neutral    | Brown          | F   | Scu  | Do          | ... | ...  | St    | ...  | Ov    | M           | Son of 7   |
| Blue       | Dk Brown       | F   | Scu  | Do          | ... | ...  | Aq    | ...  | Ell   | Flat        | Angl       |
| Blue       | Light          | F   | Pent | Do          | ..  | Br   | St    | ...  | Sph   | Rd          | Inion high |
|            |                |     |      |             |     |      |       |      |       |             |            |
| Blue       | Dk Brown       | F   | Scu  | Do          | ..  | Br   | St    | ...  | Ov    | Rd          | Angl       |
| Blue       | Light          | F   | Ov   | Do          | ... | ...  | St C  | ...  | Bd Ov | Pr          | Scand      |
| Grey       | Dark           | F   | Scu  | Do          | Pr  | ...  | St Pt | Ang  | Ell   | Rd          | ...        |
| Blue       | Dark           | Int | Ov   | Sq          | ... | ...  | C     | ...  | Obl   | M           | ...        |
| Blue       | Light          | F   | Scu  | Do          | ... | Pr   | St    | ...  | Ov    | ...         | ...        |
| Blue       | Brown          | F   | Ov   | Do          | ... | ...  | St    | ...  | Ov    | Pr          | Angl       |
| Blue       | Brown          | F   | Ov   | Do          | ... | ...  | St    | ...  | Ov    | High<br>Pro | Inion high |
| Lt Hazel   | Dk Brown       | Int | Ov   | Do          | ..  | ...  | St    | ...  | Ov    | Rd          | Norse      |
| Hazel      | Dk Brown       | Dk  | Scu  | Do          | ..  | ...  | Aq    | ...  | Sph   | Rd          | Bronze     |
| Lt Hazel   | Red Brown      | F   | Obl  | Bd Do       | ... | ...  | Aq    | ...  | Ell   | Rd Pr       | ...        |
|            |                |     |      |             |     |      |       |      |       |             |            |
|            |                |     |      |             |     |      |       |      |       |             |            |

B or Bd, Broad. L, Low. Pr, Prominent. Sm, Small. St, Straight. Aq, Aquiline. Bus, Busque. Sin, Sinuous. Pt, Pointed. C, Cocked or Concave. Cl, Clubbed. Ell, Elliptic. Sph, Sphenoid (of Sergi). Rd, Round. O or Ov, Oval. M, Medium. Ang, Angular. Angl, Anglian.

The distribution of the cephalic indices is as follows: running from 73 + to 85 +. The average, mean and mode are identical: 2, 0, 0, 1, 1, 2, 6, 2, 3, 0, 0, 1, 1.



and probably in the main Anglian or Anglo-Scandinavian. My late friend, Dr. Ingham, a predecessor of Dr. Wilson at Haworth, examined for me a large number of weavers and other woollen operatives; and in 69 of them he gave the colouring as follows:—

|                        | Hair ... | Red | Fair | Dark | Black | Total | Per cent. |
|------------------------|----------|-----|------|------|-------|-------|-----------|
| Eyes, blue or grey ... | ...      | 3   | 10   | 22   | —     | 35    | 51        |
| „ dark grey, neutral   |          | 1   | 6    | 9    | 2     | 18    | 26        |
| „ brown, &c. ...       | ...      | 1   | 2    | 10   | 3     | 16    | 23        |
|                        |          | —   | —    | —    | —     | —     | —         |
| Totals                 | ...      | 5   | 18   | 41   | 5     | 69    | 100       |

Here my brown or medium shades of hair are apparently included under “dark,” but Dr. Ingham agreed with me in finding a large percentage, about 26 per cent., of neutral eyes.

It will be noticed that of the twenty men in the table of head-measurements the eyes are mostly blue and the hair dark, but this may be partly accidental. Experience has taught me, what indeed one would have confidently expected, that comparatively few observations will give one a fair approximation to the cephalic index of a population, while a much larger number is required if one seeks to get a correct idea of the distribution of colour. It is, however, of course possible that we have here indications of a primitive dark-haired strain now being swamped by the more numerous and fairer race of the lower valleys.

My first impression of the generally Anglian type of my subjects was somewhat modified when I came to examine the figures more carefully. In the first place, the cephalic index, or proportion of the breadth to the length of the head, taken as 100, is rather high (79·4). The vertical aspect is more often oval than elliptic, and in three cases<sup>1</sup> it is noted as sphenoid, while in one of these three, and in yet another, the head is ascribed to the Bronze type; in one of these it is singularly round, and the cranial index would be 83 or 84. Two also are set down as oblong, or Sarmatic (of Von Hölder). Of the remainder, Nos. 4, 9, 11, 16, 17, and 20, I should call more or less distinctly Anglian; Nos. 12 and 18 more Scandinavian, and rather Norwegian than Danish. No. 13 is a remarkably handsome man, with a Greek, or perhaps rather Macedonian,<sup>2</sup> profile, and a very broad elliptic head. I have seen Danes like him, who came from the shores or isles of the Skagerrack and Cattegat.

The form of the forehead is usually the ordinary Anglo-Saxon dome, but in Nos. 1, 5, 6, and 14 it is notably vertical, and in no case,

<sup>1</sup> One of these, however, is a native of Giggleswick-in-Craven.

<sup>2</sup> Ujfalvy in *L'Anthropologie, Iconographie Irano-Indienne*. But the Macedonians were apparently long-headed, unlike in that respect to our subject.

TABLE II.  
OAKWORTH SCHOOL.

| Boys |      |     |     |     |     |     |     |     |     | Girls |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |    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|      |      | 6   | 7   | 8   | 9   | 10  | 11  | 6   | 7   | 8     | 9   | 10  | 11  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     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| Blue | Red  | ... | ... | ... | ... | ... | ... | ... | ... | ...   | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... 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...</ |

Eyes—Boys  
Girls  
Total

Blue "Autres" Neutral Dark Index  
10 ... 6 ... 8 ... 15 - 1  
27 ... 8 ... 11 ... 15 - 20  
37 ... 14 ... 19 ... 30 - 21

Hair—Boys  
Girls  
Total

Red Blond Medium Dark Index  
3 ... 17 ... 10 ... 9 - 11  
3 ... 39 ... 14 ... 5 - 37  
6 ... 56 ... 24 ... 14 - 48

Compound Index—  
-48-21÷2=-34.5  
or my Triple Compound Index—  
-96-21=-115

The mean age of the Boys about 10, of the Girls about 8, wherefore (in part) the Girls' greater blondness.

except in that of No. 13, did I note any great prominence of brows. In this point I was reminded of the Leeds and Ripon folk. The nose was straight in thirteen out of twenty, and aquiline, or rather *busqué*, in four. There is nothing distinctive in this. The tip-tilted nose of No. 12 is Scandinavian, like most of his other traits. So is the high-placed inion in Nos. 10 and 17, pointing probably to a large cerebellum. The prevalently scutiform (escutcheon-like) outline of the face is also more Scandinavian, I would say, than anything else.

The children at Oakworth Board School, or 100 of them, were examined by Dr. Wilson and myself, with the assistance of the master, Topinard's scheme being employed, which differs from my own in recognising a separate division of light eyes not blue (*autres*). Such eyes are generally grey, light grey or light greenish grey. Notable points to be deduced from the table are the frequency of neutral eyes and of light hair, which is what I should have expected. But the value of the table is impaired by the fact that in the latter part of the past century, after the decay of the ribbon trade in Coventry and of lead-mining in Swaledale, many people immigrated hither from the former and some from the latter locality; and some of their children were among those examined, and unfortunately were not or could not be separated. The Coventry children may have increased the proportion of dark eyes and hair. A Swaledale child was distinctly Scandinavian, blonde and straight-profiled. Upper Swaledale lay waste and void at the date of Domesday Book, and may probably have been subsequently repeopled, in part at least, from Norwegian Westmorland. A girl of Highland pedigree, with blue eyes and dark curly locks, was so obviously alien that we at once challenged and excluded her.

Taking into account the distribution of the kephalic indices, as well as the special points already discussed, I inclined to the view that we have here to do with a rather stable type, compounded of two or three dolichoid (long shaped) and one or more brachy elements. The dolichoid ones might be Iberian, Anglian, Norse; but the prevailing complexion led me to think that any Iberian or neolithic element must be small. The brachys may be representatives of the Bronze race, with possibly some reinforcement from the Danes. Any appreciable French element in *this* part of Yorkshire is not probable; the evidence of Domesday is rather against it, and so is that of the poll-tax rolls.

The first investigation had, I think, somewhat advanced the position of the problem under consideration; but I yet hoped to make a more complete solution of it. Two years later was offered

to me the valuable coadjutorship of Dr. Joseph Hambley Rowe, of Bradford, whereof I eagerly availed myself. With his introduction and help, I obtained the measurements of twenty men from the mountain village of Cowling, and of a few from other places, to which were subsequently added, by Dr. Rowe himself, about 120, mostly inhabitants of Bradford and natives of West Yorkshire. Dr. Pearce, of Darton-by-Barnsley, kindly assisted, and obtained the principal measurements of fifty natives of Darton. These may be collated with the observations on the eyes and hair, for noting which Barnsley Fair gave me an excellent opportunity, and with my Domesday Map, which shows how Darton and the majority of the manors immediately adjoining Barnsley were tenanted under Ilbert by survivors of the Anglo-Danish aristocracy. I was also able, with Dr. Rowe's help, to examine the eyes and hair of a number of school children at Cowling, and at St. Thomas's and St. Andrew's Schools in Bradford. The results of these investigations have been published in the *Bradford Scientific Journal*, and, with those of several others on the same subject, undertaken many years ago by me in Airedale and other parts of the West Riding, appear in the tables.

I do not feel qualified to enter on the question how far the survival of certain Celtic local names and of Celtic words in common speech tells in favour of there being a large amount of Celtic or British blood in West Yorkshire. My coadjutor, Dr. Rowe, has done so to some extent in his paper on "Vestiges of the Celts in the West Riding," reprinted from the *Bradford Antiquary*; and other writers, of course, have handled it; but I am not aware that anyone has done so with anything like completeness and finality. Probably a thorough comparative study of the several districts of Deira and their respective dialects would be needed. I may however, perhaps, be allowed to put forth two postulates.

(1) That there are more pre-Anglian place-names and dialect-words in Craven than in the region of Leeds and Elmet.

(2) That there are more of such place-names in the Leeds and Elmet region, or, roughly, in Wharfedale and north of the Aire, than in the country south of the Calder.

Whether there are more such names or words in the upper valleys or dale-heads towards the south than in the foot-hills or low country, more in Haworth, Todmorden, Holmfirth, Saddleworth, for example, than in Barnsley, Rotherham, or Doncaster, I am not aware, though of course one would naturally expect such to be the case. The fact that place-names in "-by" scarcely occur at all south of the Wharfe, as is pointed out by Mr. Bogg, may be of some importance

TABLE III. COLOURS OF EY

|   | No.  | Sex          | Eyes—Light |      |       |      |       |
|---|------|--------------|------------|------|-------|------|-------|
|   |      |              | Red        | Fair | Brown | Dark | Black |
| Ribblesdale and Upper Airedale 1853                 | 418  | both         | 3·7        | 14·7 | 28·1  | 8·5  | ·5    |
| Keighley ... 1853                                   | 200  | both         | 5          | 21   | 21·2  | 8·2  | ·5    |
| Keighley, farmers ... 1855                          | 50   | m            | 1          | 21   | 24    | 4    | ...   |
| Keighley ... 1902                                   | 150  | both         | 1·3        | 17·7 | 37·7  | 8    | ...   |
| Haworth ... 1873                                    | 120  | both         | 5·4        | 18·7 | 17·5  | 7·5  | ...   |
| Bradford ... 1853                                   | 1400 | both         | 4          | 13·9 | 29·4  | 8·4  | ·4    |
| Leeds ... various                                   | 440  | both         | 2·9        | 17·5 | 24·8  | 8·4  | ...   |
| Barnsley ... 1903 {                                 | 250  | m            | 3·4        | 13·2 | 27·6  | 8·6  | ...   |
|   | 250  | f            | 3·4        | 14·8 | 31·6  | 10·6 | ...   |
|   | 500  | both         | 3·4        | 14   | 29·6  | 9·6  | ...   |
| Ripon ... 1870                                      | 120  | both         | 6·6        | 16·6 | 21·6  | 10·8 | ...   |
| Calderdale, trippers ... 1870                       | 150  | both         | 4·3        | 17·6 | 20·6  | 10·3 | ·3    |
| Wharfedale Upper ...                                | 50   | both         | ...        | 14   | 28    | 16   | ...   |
| Wharfedale Middle ... 1851                          | 100  | both         | 4          | 16   | 33    | 12   | ...   |
| Gildersome ... 1857                                 | 150  | { most men } | 2·3        | 20   | 24    | 6    | ·3    |
| Farnley Wool Mill, girls and young women ... } 1857 | 50   | f            | 2          | 16   | 35    | 2    | 1     |
|   | 58   | m            |            |      |       |      |       |
| Bradford, St. Andrew's School ... {                 | 54   | f            | 1          | 16   | 7     | 3    | ...   |
|   |      |              | 5          | 11   | 9     | 2    | ...   |
|   |      | per cent.    | 5·3        | 24·1 | 14·3  | 4·5  | ..    |
| Bradford, St. Thomas' School ... {                  | 35   | m            | 2          | 5    | 3     | ...  | ...   |
|   | 34   | f            | 2          | 7·5  | 4·5   | 3    | ...   |
|   |      | per cent.    | 5·8        | 18·1 | 10·8  | 4·3  | ...   |
| Cowling School ... {                                | 40   | m            | 2          | 17·5 | 6·5   | 2    | ...   |
|   | 40   | f            | 1          | 18   | 9     | 2    | ...   |
|   |      | per cent.    | 3·7        | 44·4 | 19·4  | 5    | ...   |
| Oakworth School ... {                               | 39   | m            | 1          | 11   | 2     | 2    | ...   |
|   | 61   | f            | 1          | 26   | 7     | 1    | ...   |
|   |      | per cent.    | 2          | 37   | 9     | 3    | ...   |

# RED HAIR IN SEVERAL DISTRICTS.

| Eyes—Neutral |       |      |       |                        | Eyes—Dark |      |       |      |       |                       | Index<br>of<br>Nigr. | Comp.<br>Index<br>J.B. |
|--------------|-------|------|-------|------------------------|-----------|------|-------|------|-------|-----------------------|----------------------|------------------------|
| Fair         | Brown | Dark | Black | Total<br>Neut.<br>Eyes | Red       | Fair | Brown | Dark | Black | Total<br>Dark<br>Eyes |                      |                        |
| 2·1          | 7     | 8·4  | ·6    | 18·8                   | 1·1       | ·5   | 9     | 12·2 | 2·9   | 25·6                  | 14·4                 | —1·1                   |
| 5            | 5·5   | 4·7  | ...   | 17·5                   | 1·2       | 1    | 7·5   | 14·2 | 2     | 26                    | —3·2                 | —36·9                  |
| 2            | 12    | ...  | ...   | 16                     | 2         | 4    | 16    | 12   | ...   | 34                    | —16                  | —48                    |
| ·3           | 8·3   | 6    | ...   | 16                     | 1         | ·3   | 7     | 11   | ...   | 19·3                  | 3                    | —39·4                  |
| 2·1          | 13    | 9·2  | ...   | 26                     | ·8        | 1·2  | 7·5   | 12·9 | 2·5   | 24·9                  | 4·7                  | —14·9                  |
| 2·2          | 7·9   | 5    | ...   | 16·5                   | ·7        | 1·8  | 8·3   | 14·3 | 2·3   | 27·4                  | 10·5                 | —7·7                   |
| 2·6          | 8·3   | 4    | ·1    | 15·9                   | ·5        | 2·4  | 8·5   | 16·3 | 2·6   | 30·4                  | 7·3                  | —8·6                   |
| 1·2          | 7·4   | 6·2  | ·4    | 15·2                   | ·8        | 1·8  | 9·6   | 17·6 | 2·2   | 32                    | 17·2                 | ...                    |
| 1·2          | 7·2   | 5·2  | ...   | 14·4                   | ·8        | 1    | 6·6   | 15·4 | 1·4   | 25·2                  | 12                   | ...                    |
| 1·2          | 7·3   | 5·7  | ·2    | 14·8                   | ·8        | 1·4  | 8·1   | 16·5 | 1·8   | 28·6                  | 14·6                 | +1·2                   |
| 3·3          | 5·4   | 1·2  | ·8    | 11·6                   | 2·1       | 2·9  | 10    | 13·7 | 3·7   | 32·5                  | 2·5                  | —18·3                  |
| 1·3          | 6     | 9·6  | ·3    | 18                     | 1·3       | 1    | 6·3   | 19·3 | ·6    | 28·6                  | 15·6                 | +6·5                   |
| ...          | ...   | ...  | ...   | ...                    | 6         | 4    | 14    | 15·3 | 3?    | 42                    | 13?                  | +10                    |
| ...          | ...   | ...  | ...   | ...                    | 1         | 2    | 15    | 15   | 2?    | 35                    | 8·2                  | —13·6                  |
| 2·3          | 8·6   | 5·3  | ...   | 17·3                   | ·6        | 3·3  | 8     | 15·6 | 2·3   | 30                    | 2·6                  | —17·4                  |
| 5            | 10    | 2    | ...   | 18                     | 1         | 4    | 11    | 10   | ...   | 26                    | —13                  | —56                    |
| 2            | 5     | 1    | ...   | 9                      | 1         | 4    | 12    | 4·5  | ·5    | 22                    | ...                  | ...                    |
| 2            | 5     | 1    | ...   | 9                      | 2         | 3    | 5     | 8    | ...   | 18                    | ...                  | ...                    |
| 3·6          | 8·9   | 1·8  | ...   | 16                     | 2·7       | 6·2  | 15·2  | 11·1 | ·4    | 35·7                  | —25·4                | —63·3                  |
| 2            | 4     | ...  | ...   | 6                      | ...       | 2    | 13    | 4    | ...   | 19                    | ...                  | ...                    |
| ...          | 2     | ·5   | ·5    | 3                      | ...       | 2    | 9     | 3    | ...   | 14                    | ...                  | ...                    |
| 2·9          | 8·7   | ·7   | ·7    | 13                     | ...       | 5·8  | 31·9  | 10·1 | ...   | 47·8                  | —15·9                | —22                    |
| 2            | 2     | ...  | ...   | 4                      | ...       | 3    | 4     | 1    | ...   | 8                     | ...                  | ...                    |
| 1            | 4     | ...  | ...   | 5                      | ...       | 3    | 2     | ...  | ...   | 5                     | ...                  | ...                    |
| 3·7          | 7·5   | ...  | ...   | 11·2                   | ...       | 7·5  | 7·5   | 1·2  | ...   | 16·2                  | —53·7                | —163·7                 |
| 3            | 3     | 1    | ...   | 8                      | 1         | 3    | 5     | 6    | ...   | 15                    | ...                  | ...                    |
| 7            | 3     | 1    | ...   | 11                     | 2         | 6    | 4     | 3    | ...   | 15                    | ...                  | ...                    |
| 10           | 6     | 2    | ...   | 19                     | 3         | 9    | 9     | 9    | ...   | 30                    | —48                  | —115                   |

as evidence of the comparative unimportance there of the Danish element in the population, but there are too many “-tons” in Wharfedale and the Ainsty to allow me to suppose that these districts had not been finally wrested from the British and colonised by the Angles long before the arrival of the Danes.

The “rhyming scores” still used by the shepherds in the western dales are of course good evidence of contact, if nothing more, between the Celtic-speaking and English-speaking shepherds of long ago. Probably it originated in some district, perhaps of Craven, where the serfs were British, and then spread and survived owing to its alliterative attractiveness and convenience. Upper Teesdale and Upper Swaledale, two of the districts where it has been found in use, must have learned it rather late, for they were uninhabited after the Norman Conquest. Did the Conquest, and the ravages of William the Bastard, seriously disturb the balance of elements already present in the population of Yorkshire, or add to it any considerable new element?

There can be little doubt that it was the Scandinavian element which suffered most severely. By that time, I doubt not, it was in many parts of the county pretty thoroughly mixed with the Anglian, but in the south of the West Riding the evidence of place-names as well as that of names of proprietors, and if Prince Buonaparte was right, that of the dialect also, indicates that the Scandinavian element was comparatively weak. And it was precisely this part of the county that appears in Domesday as having suffered least from the ravages, or as having most recovered from them. Moreover, the loss of population was due, not only to the sword and to the subsequent long-continued famine, but to the emigration, free or forced, of many of the survivors to Scotland. Now, if south-eastern Scotland yields more tokens of Scandinavianism than Tynedale and Weardale, as I think will be conceded, is it not partly due to the fact that the great English immigration of the eleventh century must have come mainly from the most Danish districts, viz. the East and North Ridings? The question how the wide gaps were filled up, with some details rather archæological or genealogical than anthropological, I have relegated to an Appendix. What most concerns us here and now is that the whole of Airedale from Leeds and Armley to Malham, and of Calderdale from Mirfield upwards to its head, with the several contributory valleys, are reported as “waste,” without a single break; and that speculations as to the ethnological character or origin of its

present inhabitants are, it must be allowed, vitiated by our ignorance about its re-peopling.

Cowling is a place situated much like Haworth, high up on the border of the moors. It was probably, though not certainly, waste at the time of Domesday Book, and as it is not mentioned in Brown's *Kirkby's Inquest*, may have only been colonised much later. The craniology and physiognomy have a certain resemblance to those noted at Haworth and Oakworth, the sphenoid (wedgelike) form and the Sarmatic (oblong) type both occurring, though the Anglian may perhaps predominate. The kephalic index of breadth was practically identical in Cowling (79·7) and in the other places, and distinctly above the English average. The preponderance of light eyes is marked in both, but that of light hair is greater at Cowling than at Oakworth both in adults and in the schools. I ought to confess that the Cowling children were examined somewhat hastily, owing to the approach of twilight; but it was in the open air; and any error would probably have been made in the direction of darkness rather than fairness; and I cannot doubt that the Cowling children are quite remarkably blond.

The Bradford school children whom I examined, as just now stated, showed, on the contrary, a preponderance of darker colours; and I am led to think that a change of type in that direction is taking place in the poorer districts of Bradford, the fairer type being eliminated. Dr. Rowe afterwards carried on measurements in Bradford and the surrounding districts, with some results of considerable interest. They seem to indicate that the tendency to brachycephaly, to the short and broad head, which we have found in the Worth Valley and at Cowling, is found also in Upper Calderdale, while in both Wharfedale and Airedale, including Bradford and its neighbourhood, the head-form is longer and narrower, and in so far more like the ordinary English types. There are however in Bradford, of course, a large number of people either not belonging by birth or parentage to the city or district, or at least more or less of mixed blood. Excluding all these as much as possible, I get thirty pure Bradfordians of all classes, and they yield me the following figures:—Average stature, 5 ft. 7½ in., or 1,708 millimètres; that in ten Wharfedalers was 5 ft. 8 in., or 1,727. Length of head, 192·8 millimètres; breadth, 148·7; and circumference, 568. All these measures were rather less than those of Oakworth, or even of Cowling; but there



TABLE I

|                     | Lengths   |           |           |            |          | Breadths  |       |       |       |       |       |     | Arcs  |       |       |     |
|---------------------|-----------|-----------|-----------|------------|----------|-----------|-------|-------|-------|-------|-------|-----|-------|-------|-------|-----|
|                     | Gl<br>Max | Fr-<br>in | Gl-<br>in | Oph<br>Max | Na<br>mt | Fr-<br>mi | Step  | Zyg   | Aur   | Max   | Mas   | Big | Circ  | Sag   | Tra   | Ant |
| 1                   | 195       | 192       | 192       | 194        | 115      | 105       | 126   | 141   | 141   | 160   | 136   | 114 | 576   | 350   | 360   | 303 |
| 2                   | 186       | 183       | 180       | 186        | 105      | 99        | 124   | 126   | 124   | 146   | 130   | 93  | 558   | 553   | 369   | 290 |
| 3                   | 203       | 194       | 187       | 200        | 110      | 108       | 130   | 136   | 134   | 159   | 134   | 102 | 592   | 365   | 359   | 293 |
| 4                   | 184       | 180       | 174       | 182        | 101      | 100       | 124   | 134   | 131   | 147   | 136   | 104 | 553   | 354   | 352   | 291 |
| 5                   | 185       | 180       | 176       | 185        | 115      | 101       | 124   | 130   | 129   | 150   | 134   | 104 | 556   | 344   | 352   | 283 |
| 6                   | 191       | 182       | 182       | 187        | 120      | 104       | 124   | 136   | 134   | 153   | 136   | 101 | 567   | 350   | 366   | 297 |
| 7                   | 199       | 194       | 192       | 198        | 111      | 109       | 129   | 138   | 136   | 154   | 143   | 110 | 590   | 360   | 363   | 293 |
| 8                   | 192       | 192       | 184       | 191        | 119      | 107       | 126   | 141   | 139   | 156   | 139   | 104 | 578   | 360   | 375   | 291 |
| 9                   | 192       | 183       | 176       | 189        | 122      | 98        | 122   | 134   | 133   | 150   | 129   | 108 | 560   | 368   | 366   | 294 |
| 10                  | 192       | 191       | 187       | 190        | 112      | 102       | 124   | 134   | 131   | 154   | 128   | 100 | 571   | 352   | 355   | 296 |
| 1 <sup>st</sup> Dec | 193       | 187       | 183       | 190        | 113      | 103·3     | 125·3 | 134·8 | 133·2 | 152·9 | 134·5 | 104 | 572   | 355·6 | 361·7 | 293 |
| 11                  | 185       | 186       | 177       | 185        | 117      | 102       | 122   | 132   | 130   | 149   | 132   | 106 | 558   | 352   | 370   | 283 |
| 12                  | 186       | 178       | 176       | 184        | 121      | 102       | 124   | 140   | 136   | 146   | 132   | 106 | 556   | 334   | 352   | 293 |
| 13                  | 190       | 185       | 180       | 188        | 111      | 97        | 119   | 134   | 132   | 150   | 138   | 103 | 567   | 365   | 360   | 287 |
| 14                  | 186       | 189       | 184       | 186        | 118      | 102       | 127   | 134   | 133   | 148   | 130   | 103 | 556   | 347   | 365   | 292 |
| 15                  | 190       | 190       | 184       | 188        | 119      | 101       | 128   | 142   | 140   | 159   | 146   | 111 | 580   | 369   | 371   | 300 |
| 16                  | 198       | 195       | 194       | 197        | 117      | 102       | 120   | 142   | 140   | 154   | 130   | 106 | 580   | 364   | 378   | 306 |
| 17                  | 185       | 183       | 182       | 182        | 123      | 106       | 124   | 132   | 131   | 148   | 123   | 106 | 563   | 337   | 354   | 296 |
| 18                  | 192       | 190       | 186       | 192        | 120      | 102       | 124   | 132   | 131   | 151   | 133   | 109 | 577   | 360   | 380   | 306 |
| 19                  | 190       | 180       | 185       | 183        | 110*     | 105       | 121   | 139   | 132   | 148   | 131   | 112 | 560   | 340   | 322   | ... |
| 20                  | 192       | 184       | 182       | 188        | 106      | 107       | 134   | 132   | 129   | 155   | 136   | 100 | 573   | 362   | 365   | 274 |
| 2 <sup>d</sup> Dec  | 189·4     | 186       | 183       | 187·3      | 118      | 102       | 124·3 | 136   | 135   | 150·8 | 133   | 106 | 567   | 353   | 361   | 293 |
| Total               | 191·2     | 186·5     | 183       | 188·6      | 115·5    | 102·9     | 125·8 | 135·4 | 134·1 | 151·8 | 133·7 | 105 | 569·5 | 354·3 | 361·3 | 293 |

\* Edentulus.

The abbreviations used are the same as those in the Oakworth Table.

# DW LING.

| tim<br>pac | K<br>Ind | Eyes       | Hair      | Com | Face   | F H   | Brs   | Ch B | Nose  | Chin | Head   | Occ  | Type       |
|------------|----------|------------|-----------|-----|--------|-------|-------|------|-------|------|--------|------|------------|
| ..         | 82-05    | Grey       | Dk Brown  | Int | Obl    | M     | Pr    | M    | St    | ...  | Br O   | ...  | ...        |
| ..         | 78-50    | Grey       | Dk Brown  | Int | W      | Sq    | St    | ...  | St    | M    | ...    | Pr   | Iber       |
| ..         | 78-32    | Dk Hazel   | Vy Dk Br  | Sw  | Pent   | Br Sq | Pr Ar | r B  | Aq Si | N    | Sph    | ...  | ...        |
| ..         | 78-89    | Brown      | Dk Brown  | Int | Ell    | V Sq  | M     | M    | Sh Si | Rd   | B O    | ...  | ...        |
| ..         | 81-08    | Grey       | Brown     | F   | Sc     | Do    | Flat  | Sm   | Sl    | M    | O      | ...  | ...        |
| ..         | 80-10    | Blue       | Fair      | F   | Ell    | Do    | Pro   | M    | Sl Aq | Pr   | O      | ...  | Ang        |
| ..         | 77-38    | Blue       | Flaxen    | F   | Scu    | B Sq  | ...   | ...  | Si    | Pr   | O      | ...  | ...        |
| ..         | 81-25    | Hazel Grey | Brown     | F   | O Ell  | Do    | M     | M    | Bus   | Pr   | O Ell  | Rd   | Ang        |
| ..         | 78-12    | Hazel      | Brown     | F   | Scu    | Do    | Ar    | M    | Si    | ...  | ...    | Pr   | Ang?       |
| ..         | 80-20    | Hazel Grey | Dk Brown  | ?   | Ell    | B Sq  | ...   | Sm   | Aq    | ...  | Obl    | ...  | Sarm       |
| 61<br>82   | 79-59    |            |           |     |        |       |       |      |       |      |        |      |            |
| .          | 80-50    | Grey       | Brown     | F   | Sc     | B Do  | Ar    | ...  | Aq    | ...  | ...    | Pr   | ...        |
| .          | 78-50    | Grey       | Brown     | F   | O Ell  | Do    | Ar    | r B  | Bus   | Pro  | O      | Pr   | ...        |
| .          | 78-94    | Grey       | Lt Br (G) | ?   | Ell Sp | N Sq  | Pro   | M    | Si Cl | M    | O      | Pr   | ...        |
| .          | 79-54    | Grey       | Brown     | F   | Scu    | V Do  | ..    | Sm   | Aq    | M    | O      | r Pr | ...        |
| .          | 83-68    | Hazel Grey | Dk Brown  | F   | Scu    | M     | Ar    | ...  | ...   | ...  | O      | ...  | larg Inion |
| .          | 77-77    | Grey       | Dk Brown  | ?   | O      | M     | ...   | ...  | C     | Br   | Sph    | ...  | ...        |
| .          | 80-87    | Blue       | Lt Brown  | F   | Sp     | Sq    | ...   | Sm   | C     | ...  | Obl    | Sq   | Barnsley   |
| .          | 78-64    | Lt Hazel   | Lt Brown  | F   | Scu    | ...   | Flat  | Sm   | Bus   | ...  | Ell    | Rd   | Ang        |
| .          | 77-89    | Blue       | Dark      | ?   | R      | ...   | Ar    | ...  | ...   | M    | Obl    | Pr   | ...        |
| .          | 80-73    | Blue       | Fair      | F   | Sp W   | V     | Pr    | r Br | Aq    | N    | R Sph? | Pro  | ...        |
| 38<br>57   | 79-70    |            |           |     |        |       |       |      |       |      |        |      |            |
| 50<br>70   | 79-65    |            |           |     |        |       |       |      |       |      |        |      |            |

Distribution of kephalic indices from 77 to 84 as follows: 1, 6, 4, 3, 4, 1, 0, 1.

seems to be generally good breadth in the upper part of the head, and the cubic capacity, estimated by my method, is very nearly equal to that of the Cowling series.

Dr. Rowe, dividing his material somewhat differently, owing to the difficulty of classification arising from the extensive and multiform crossing, made out the following figures for the kephalic indices:—

|                                |     |     |       |
|--------------------------------|-----|-----|-------|
| 17 men from Cowling            | ... | ... | 79.80 |
| 7 „ Airedale                   | ... | ... | 78.51 |
| 22 „ Bradforddale              | ... | ... | 77.53 |
| 5 „ Airedale and Wharfedale    | ... | ... | 77.27 |
| 7 „ Wharfedale                 | ... | ... | 77.27 |
| 5 „ Calderdale                 | ... | ... | 81.04 |
| 8 „ Nidderdale (mixed)         | ... | ... | 77.77 |
| 9 „ elsewhere in Yorkshire     | ... | ... | 79.74 |
| 10 hybrids (half Yorkshiremen) | ... | ... | 77.18 |

Leeds, Ripon, and York, all have a fair population, the lightness being, however, in the hair rather than in the eyes. York seems in this respect to exhibit the general type of the county, which indeed might well be anticipated in a kind of local capital, resorted to for centuries by people of all classes from all parts of the county.

I have already given my impressions of the inhabitants of Leeds and of Ripon. I may add that in all these places a certain variety of neutral eye, a kind of muddy light hazel, or light hazel-grey, seems to be very common. It is common also in some parts of the South of England, goes usually with light or brown hair, and occurs in Teutonic rather than in Celtic districts, where a dark grey takes its place.

At Barnsley, or rather at Darton, Dr. Pearce found the heads of the villagers rather smaller and distinctly narrower than in Oakworth or Cowling or Calderdale. The surnames do not indicate much Norman or French immigration, nor the features much Danish blood. There seemed to be one very prevalent type, not conspicuous in Airedale, a rather long face, oblong but for the somewhat angular chin, probably Anglian, with a cross of the Iberian or neolithic. The colours, rather light, as elsewhere in Yorkshire, presented no striking peculiarity.

I must again guard myself against the supposition that we place *much* confidence in the results of our measurements, the numbers being too small, even in Oakworth and Cowling. But they are numerous enough for starting provisional hypotheses. Those pointed to are, in my opinion:—

By Dr. G. H. PEARCE.

|     | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 | 184 | 185 | 186 | 187 | 188 | 189 | 190 | 191 | 192 | 193 | 194 | 195 | 196 | 197 | 198 | 199 | 200 | 201 | 202 | 203 | 204 | 205 | 206 | Total |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| 134 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | i   | ... | ... | ... | ... | ... | ... | 1     |
| 135 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 136 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 137 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 138 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | i   | ... | ... | ... | ... | ... | ... | 6     |
| 139 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 140 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 4     |
| 141 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 142 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 143 | i   | ... | ... | i   | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 7     |
| 144 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 145 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 146 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 9     |
| 147 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 148 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 149 | i   | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 13    |
| 150 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 151 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 152 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 153 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 154 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 155 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 156 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 157 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 158 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 159 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |
| 160 | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ...   |

NOTE.—The agglomeration of the items is due to my having translated them from English inches and tenths into French millimetres.

TABLE VI.

| Nativity                          | Lengths |       |       |         |      |       |      |       |       |       | Breadths |     |       |       |       | Arcs  |      |      | Nasal       |       |  |  |  |
|-----------------------------------|---------|-------|-------|---------|------|-------|------|-------|-------|-------|----------|-----|-------|-------|-------|-------|------|------|-------------|-------|--|--|--|
|                                   | Max     | Fr-in | Gl-in | Oph Max | Face | Fr-mi | Step | Zyg   | Aur   | Max   | Mas      | Big | Circ  | Sag   | Tra   | Ant   | Len  | Br   | Estim Capac | K Ind |  |  |  |
| Wharfedale 10                     | 195     | 191·3 | 192   | 192     | 118  | 103   | 121  | 136·5 | 132·6 | 150·2 | 136·4    | 106 | 576   | 353   | 347   | ?     | 54·4 | 37   | 1465        | 76·92 |  |  |  |
| Calderdale ... 10                 | 189·4   | 185·7 | 183   | 186     | 117  | 106   | 130  | 136·6 | 134   | 153   | 132      | 105 | 564·5 | 356·4 | 376   | 287   | 51·5 | 34·3 | 1530        | 81·41 |  |  |  |
| Bradford and neighbourhood ... 30 | 192·7   | 190   | 187   | 190·5   | 117  | 106   | 130  | 133·9 | 127·8 | 149·4 | 126·6    | 102 | 568   | 353   | 365   | 292   | 51·2 | 36   | 1466        | 77·53 |  |  |  |
| Oakworth ... 20                   | 193·6   | 192   | 189   | 192     | 118  | 107   | 128  | 139   | 136   | 153·8 | 137      | 108 | 580   | 356   | 366   | 290·3 | 52   | 37   | 1537        | 79·37 |  |  |  |
| Cowling ... 20                    | 190·7   | 186   | 183   | 188·6   | 115  | 103   | 126  | 135·4 | 134   | 152   | 133·7    | 105 | 569·5 | 354·4 | 361·3 | 293   | 50·8 | 34·6 | 1480        | 79·7  |  |  |  |

TABLE VII.

ILLUSTRATING THE SCOPE OF VARIATION OF THE KEPHALIC INDEX

(BREADTH TO LENGTH OF HEAD IN 200 ADULT WEST YORKSHIREMEN).

| Kephalic Index            | 65  | 66  | 67  | 68  | 69  | 70  | 71  | 72  | 73  | 74  | 75  | 76  | 77  | 78  | 79 | 80  | 81  | 82  | 83  | 84  | 85  | 86  | 87  | 88  | 89  | 90  |
|---------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Oakworth ... 23           | ... | ... | ... | ... | ... | ... | ... | ... | 2   | ... | 1   | 1   | 2   | 2   | 6  | 4   | 3   | ... | ... | 1   | 1   | ... | ... | ... | ... | ... |
| Cowling ... 20            | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 1   | 6   | 4  | 3   | 4   | 1   | ... | 1   | ... | ... | ... | ... | ... | ... |
| Bradford, } 10<br>Upper } | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 1   | 1   | 2   | ... | 2  | ... | 1   | 1   | ... | ... | 1   | ... | 1   | ... | ... | ... |
| Bradford ... 50           | ... | ... | ... | ... | 1   | ... | ... | ... | 1   | 1   | 6   | 4   | 8   | 13  | 6  | 6   | 1   | 2   | 1   | ... | ... | ... | ... | ... | ... | ... |
| Wharfedale 10             | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 3   | 3   | ... | 2   | 1  | ... | ... | 1   | ... | ... | ... | ... | ... | ... | ... | ... |
| Calderdale... 12          | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | ... | 1   | 1   | ... | 1  | 1   | 2   | 3   | 1   | ... | 1   | ... | 1   | ... | ... | ... |
| Darton ... 50             | ... | ... | 1   | 1   | ... | ... | ... | 1   | 5   | 2   | 5   | 4   | 5   | 7   | 5  | 5   | 5   | 2   | ... | ... | ... | 1   | 1   | ... | ... | ... |
| Other W.R... 25           | ... | ... | ... | ... | ... | ... | ... | ... | 2   | 1   | 2   | 2   | 3   | 5   | 1  | 4   | 2   | 2   | 1   | ... | ... | ... | ... | ... | ... | ... |
| Total 200                 | ... | ... | 1   | 1   | 1   | ... | ... | 1   | 10  | 4   | 18  | 16  | 22  | 35  | 26 | 23  | 18  | 12  | 3   | 2   | 3   | 1   | 3   | ... | ... | ... |

NOTE.—I reckon everything from 75·60 to 76·59 inclusive as 76. The table seems to indicate a tolerably homogeneous race, with possible remains, not quite assimilated, of the bronze or of some other brachykephalic (broad-headed) stock. The maximum (78, or a fraction over 78) is also the mean and the mode.

(1) That the Brigantes contained a large neolithic or dolichocephalic (long-headed) element.

(2) That the western moorlands and dales have a comparatively broad-headed element of population, of which there is little in the lower country. But as these very districts appear as waste in Domesday, it is a puzzle to make out its origin, whether from Bronze folk, from Danes, or from French settlers, or from all three. I am pretty clear that it is partly Scandinavian.

(3) That the Bradford citizens are undergoing a change of type, such as De Laponge and Ammon, and lately Shrubsall, have been finding in large towns, a change in the direction of narrower heads and darker hair, which may or may not be called a degeneration.

#### APPENDIX.

On first considering the general aspect of the Domesday Map, one cannot but be struck by the great extent and absolute devastation of the tract already defined as extending from (roughly) Armley to Gargrave, and from Holmfirth to Adel, and including all of Upper Airedale and Upper Calderdale.

There were other areas of complete devastation in Yorkshire, for examples Upper Teesdale and the districts of Northallerton and Driffild, but these were of much smaller extent; and so were the areas of safety, absolute or comparative, as about Conisborough and Elmsall and Sherburn and Beverley and Bedale. The sparing of Conisborough may have been due to military policy, that of Sherburn and Beverley to respect for the clergy: the two other cases are more difficult to account for.

It should not be forgotten that William was not the only person responsible for the whole of this misery and depopulation. Malcolm Canmore invaded north Yorkshire after the departure of the Norman army, and his misdeeds loom as largely as William's in the pages of Simeon of Durham. If the accounts are correct, there must have been rich gleanings left for the Scots after William had reaped the country, and to them may probably be owing the complete depopulation of Higher Teesdale, and perhaps of Wensleydale and Upper Swaledale also.

The following is what I suppose to have taken place. William, though he had sworn "by the splendour of God" not to leave a Northumbrian alive, had cooled a little when he arrived in the south of the county; and he waited until he saw that his enemy would not meet him in the field before spreading out his forces for the work of destruction. This he did as he moved northward and north-

eastward, embracing in his ravages the eastern parts of the West and North Ridings, and nearly the whole of the East Riding, except Beverley. He crossed the Tees, but effected little damage beyond that river, the natives having had time to prepare for his visit. He then moved at first southwards, and afterwards south-westwards, crossing the Upper Aire, and then passing his troops through the hills in a broad front by many paths, so as to overrun the entire country and to debouch on Amounderness, which was treated with almost as great severity as Yorkshire, only sixteen out of sixty villages dependent on Preston having a few inhabitants left. These West Yorkshire hills would probably be those of the hardships attending whose traversing his followers so much complained.

Malcolm Canmore, following, crossed the Pennine Fells from Westmorland; and Simeon's account would lead one to suppose that his ravages in Teesdale, Cleveland, and south-eastern Durham were at least as savage as the Conqueror's. The depopulation caused by the deportation of captives was an additional feature, perhaps not altogether a bad one, so far as the saving of life went; for the prisoners escaped the resulting famine, and probably added very largely to the Sassenach element in Scotland. But after reading of these "methods of barbarism" (to quote Sir Henry Campbell-Bannerman), one is inclined to wonder how it was that any people survived, rather than that there were no more survivors.

The Conqueror appears to have subsequently repented of his cruelty, the results of which must have seriously diminished his revenue. He is said to have been wroth with his brother Odo for having imitated him on a smaller scale in the county of Durham, in revenge for the slaughter of Bishop Walcher at Gateshead.

Several other points seem worthy of mention. The number of King's thanes and of English mesne tenants is greater than in many southern counties which had not specially, so far as we know, incurred the wrath of the Conqueror. So, too, we learn from Boso's vision that in Durham, even after the affair of Bishop Walcher, the native spearmen, though not so richly armed and horsed as their Norman lords, were still "full of fight," and a power to be reckoned with.

The polity in Yorkshire was aristocratic; there were many large landowners. But the estates were, as a rule, very much divided locally, many men having property in two, and some in three, ridings; while it was quite common for two or three rich men to have halls in the same village. The names of the thanes were mostly Scandinavian, but in the West Riding there was a good sprinkling of Anglian names; and Gospatric was not the only Scotch or Cumbrian



name in the county.<sup>1</sup> Several brothers often held a small estate in common, and Leeds was the possession of so many as seven thanes.

Sokemen were comparatively few; but as in the one large, uninjured property of Conisborough there are quite a large number, it is conceivable that elsewhere, as armigerous men, they may have borne the brunt of the calamities of war, and so had disappeared. They are found generally in the outlying berewicks rather than in the manors themselves. In those attached to the two great manors of Northallerton and Walsgrave, belonging to the Earls Edwin and Tosti respectively, the disappearance of 217 sokemen called forth the pitiful notice of the Commissioners, who were then new to their work. But in the huge estates of Ilbert de Lacy and Hugh Fitz Baldric and Earl Alan, which were among those which had not been very much ruined, sokemen were very few.<sup>2</sup> It would not be safe to draw any ethnological inference; sokemen were a class not absolutely peculiar to Danish counties, for they existed in Kent; 285 altogether survived in West Yorkshire, excluding Craven, the enumerated population being, by my own count, not over 3,150. In an appended table I have given my count of the several classes of this population, with those of the East Riding and of Nottinghamshire for comparison. The favoured position of the West Riding emerges clearly, except as regards sokemen. It may be noted that Warrenne's manor of Conisborough, where sokemen form the largest class of tenants, is coterminous with Nottinghamshire, where they are 28 per cent. of the population.

In "Races of Britain" I have shown cause for estimating the valuation in pounds of silver at 15 per cent. of the total *enumerated* population. (It is about 16 per cent. in the Domesday population of the West Riding.) But if we take 15 per cent., and dismiss from consideration the waste manors where nothing was *said*, nor perhaps *known*, of the value T.R.Ed., as we have £1,001 as the stated value then, we may estimate the male adult population as having been 6,670. Or, at 16 per cent., it may have been about 6,250, implying probably 31,250 souls, always excluding Craven. The population of the East Riding had been greater, that of the North not much less.

I have drawn out a list of the landowners T.R.Ed., which is subjoined. The several names amount to 134, not including those of the Earls Edwin, Morcar, Tosti, Harold, and Waltheof; and to these should be added 71, or at least a great proportion of 71,

<sup>1</sup>e.g. Crucan, Gillemichel, Gillander.

<sup>2</sup>Only six in the earl's estates, and none in Hugh Fitz Baldric's, which was

comparatively flourishing, the valuation having sunk only from £61 14s. 8d. to £38 10s.

NAMES OF PROPRIETORS AND NUMBER OF MANORS HELD BY EACH OF THEM  
IN THE WEST RIDING, TEMPORE REGIS EDWARDI.

|                   |        |    |             |     |    |                       |          |    |                  |     |    |               |     |    |                      |     |     |
|-------------------|--------|----|-------------|-----|----|-----------------------|----------|----|------------------|-----|----|---------------|-----|----|----------------------|-----|-----|
| Acan              | ...    | 1  | Burun       | ... | 1  | Esceif                | ...      | 1  | Hunchil          | ... | 1  | Ragenild      | ... | 5  | Turgot               | ... | 1   |
| Achebrand         | ...    | 2  | Carne       | ... | 1  | *Esnebern             | ...      | 1  | Hundric's 3 sons | ... | 3  | *Ramechil (?) | ... | 1  | Turgrim              | ... | 1   |
| Adelo             | ...    | 1  | Carl        | ... | 2  | Estan                 | ...      | 1  | *Ketel           | ... | 10 | *Ravenhill    | ... | 8  | Uctred               | ... | 6   |
| Adestan           | ...    | 1  | Chenict     | ... | 1  | Fardon                | ...      | 1  | *Ketelbern       | ... | 8  | Ravenswar     | ... | 2  | Ulf                  | ... | 8   |
| Agemund           | ...    | 1  | Clibert     | ... | 1  | Fech                  | ...      | 2  | Ledwin           | ... | 1  | Reider        | ... | 1  | Ulfac                | ... | 6   |
| *Alcomb (Malcolm) | 8      | 8  | Climan      | ... | 1  | Floteman              | ...      | 1  | Lepsi            | ... | 2  | Sandi         | ... | 1  | *Ulkil               | ... | 30  |
| Aldulf            | ...    | 1  | Cnut        | ... | 1  | Forne                 | ...      | 1  | Leschil          | ... | 1  | Saxulf        | ... | 1  | 2 <sup>d</sup> Ulkil | ... | 2   |
| Alkill            | ...    | 1  | Cola        | ... | 1  | *Gamel                | ...      | 32 | *Lesing          | ... | 1  | Siward        | ... | 6  | Ulmar                | ... | 3   |
| Almund            | ...    | 8  | *Crucan     | ... | 1  | Gamelbar              | ...      | 35 | Levecol          | ... | 1  | Siwardbar     | ... | 2  | *Ulric               | ... | 3   |
| *Alric            | ...    | 10 | *Dolfin     | ... | 4  | *Gerneber             | ...      | 11 | Levenot          | ... | 1  | Sprot         | ... | 1  | *Ulsi                | ... | 4   |
| *Alsi             | ...    | 8  | Dringel     | ... | 2  | Gillelmichel          | ...      | 1  | Lewin            | ... | 8  | Stori         | ... | 1  | Ulstian              | ... | 1   |
| *Alured           | ...    | 2  | Dunning     | ... | 1  | Glunier               | ...      | 11 | *Ligulf          | ... | 15 | Stam          | ... | 1  | Ulwinn               | ... | 1   |
| Aluric            | ...    | 2  | *Dunstan    | ... | 10 | Godisc                | ...      | 1  | Mabon            | ... | 1  | Suarcot       | ... | 4  | Walthool, Earl       | ... | 4   |
| Alward            | ...    | 6  | Edward      | ... | 1  | Godric                | ...      | 12 | Maceus           | ... | 1  | *Suen         | ... | 21 | Warter               | ... | 2   |
| *Alwin            | ...    | 5  | Eduif       | ... | 2  | *Godwin               | ...      | 9  | Machern          | ... | 2  | Sunaman       | ... | 1  | Wibert               | ... | 3   |
| *Arkill           | ...    | 32 | Edwin, Earl | ... | 3  | 2 <sup>d</sup> Godwin | ...      | 1  | Merleswen        | ... | 5  | Thole         | ... | 1  | Wige                 | ... | 3   |
| *Artor            | ...    | 4  | *Eldred     | ... | 1  | *Gospatric            | 14 (+34) | 1  | Morcar, Earl     | ... | 1  | Toc           | ... | 4  | William              | ... | 4   |
| Arulf (?)         | ...    | 1  | Elflet      | ... | 1  | Grim                  | ...      | 5  | Morfare (?)      | ... | 3  | *Tona         | ... | 2  |                      |     |     |
| *Baret            | ...    | 11 | Elmer       | ... | 1  | Grimkill              | ...      | 1  | Niveling         | ... | 1  | *Tor          | ... | 3  |                      |     |     |
| Basin             | ...    | 1  | *Elric      | ... | 2  | Gunnar                | ...      | 3  | *Norman          | ... | 10 | Torfin        | ... | 9  |                      |     |     |
| Bas               | ...    | 1  | *Elsi       | ... | 13 | Haldane               | ...      | 1  | Odo              | ... | 4  | *Torkill      | ... | 3  |                      |     |     |
| Beane             | ...    | 1  | Elwin       | ... | 1  | *Hardulf              | ...      | 2  | *Orm             | ... | 12 | Tosti, Earl   | ... | 2  |                      |     |     |
| Bergulver         | ...    | 1  | Emebrand    | ... | 3  | Harold (Earl?)        | ...      | 1  | *Osmund          | ... | 1  | *Turbern      | ... | 6  |                      |     |     |
| Bernulf           | 1 (18) | 1  | *Ernwi      | ... | 5  | Heltor                | ...      | 1  | *Osulf           | ... | 9  | Turbrand      | ... | 5  |                      |     |     |
|                   |        |    |             |     |    |                       |          |    |                  |     |    |               |     |    |                      |     | 139 |

In 72 of these there is more than one manor to the name, and in some of these there may be two or more persons included.

\* Names marked thus are those of persons who survived, at the time of the compilation of Domesday, in the West Riding. Ketel, Torfin, Gillelmichel, also Duan, Ernulf and Turolf, had large estates in Westmorland and North Lancashire, and Earl Tosti in Amunderness and Furness. 71 Thanes unnamed are mentioned as owners in T. R. E., of whom six survived.

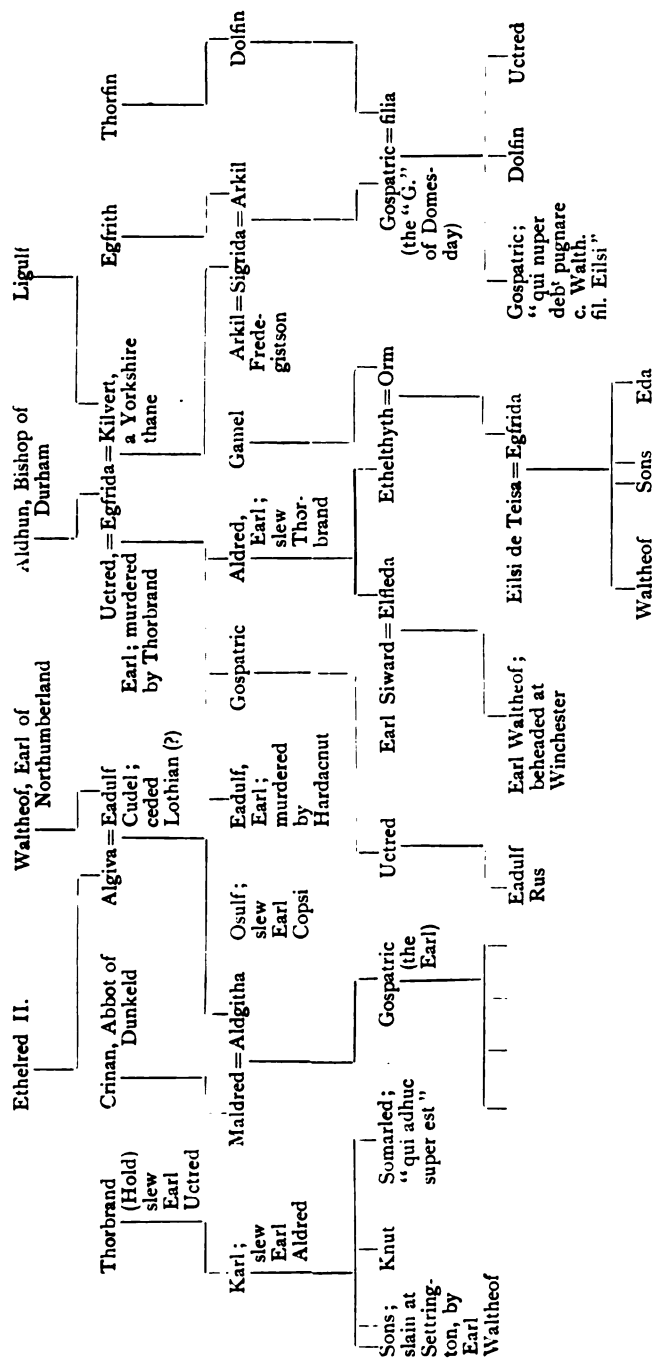
The names of Agemund, Aldene (Haldane), Aluric, Echebrand, Elwin, Godric and Siward, all occur as surviving King's Thanes or tenants in Nottinghamshire; of these the first and fourth pretty surely, and perhaps others, are among those who did not survive in Yorkshire.

TABLE IX.

LANDOWNERS, TENANTS AND POPULATION TEMP. REG. WILHELMI.

|                            | Former Owners |          |             | Owners     |          |                     |          | Mesne Tenants |          |    |         |             | Bordars | Total Pop | Value<br>£ s. d. |           |              |           |                |          |          |
|----------------------------|---------------|----------|-------------|------------|----------|---------------------|----------|---------------|----------|----|---------|-------------|---------|-----------|------------------|-----------|--------------|-----------|----------------|----------|----------|
|                            | Named         | Un-named | Repetitions | Estim      | In Capit | King's Thanes, Engl | Deb- ful | Engl          | Dbt- ful | Fr | Knights | Cent- sorii |         |           |                  | Bur- gers | Franci- hors | Vas- sals | Soke- men      | Villans  |          |
| West Riding, except Craven | 139           | 71       | 503         | 200 to 250 | 18       | 30                  | 4        | 22            | 6        | 26 | 4       | 15          | 91      | 45        | 6                | 285       | 1679         | 912       | 3147           | 505 0 0  |          |
| East Riding                | 111           | 17       | ...         | 150        | 16       | 17                  | ...      | 4             | 5        | 32 | 21      | 23          | 19      | 41        | 13               | 130       | 1557         | 422       | 2297           | 347 13 0 |          |
| North Riding               | 103           | 25       | 354         | 150        | 9        | 8                   | ...      | 9             | 1        | 21 | 12      | 13          | ...     | 33        | 4                | 55        | 1001         | 145       | 1311           | 223 6 6  |          |
| Nottinghamshire            | 142           | 52       | 268?        | 200        | 28       | 18                  | ...      | 20            | 4        | 41 | 8       | 2           | 174     | 64        | 8                | 10        | 1661         | 2622      | 1002 slaves 15 | 5677     | 769 14 8 |

TABLE X.  
NORTHUMBRIAN GENEALOGIES.  
CHIEFLY FROM SIMEON.



unnamed thanes, of whom from three to seven held single manors in copartnership. The number of repetitions of some names is very great; after excluding eight cases (the earls and Merleswan), where it is absolutely certain that the same person is meant, I find 444 such. Now there were at least two Godwins, and probably two Gospatrics, and there may have been several Arkils and Gamels and Uctreds and Ulkils and Ligulfs—a glance at my genealogical table will show that Sigrida, a lady of rank, married two Arkils in succession—but, on the other hand, there was probably but one Gamelbar, and he had thirty-five manors. I am disposed to estimate the actual number of proprietors, great and small (T.R.Ed.), at from 200 to 250, perhaps one-twenty-fourth or one-thirtieth of the male adult population.

About a quarter of these—I make the number not less than fifty-four, but perhaps a few more—survived till the Domesday-tide, as King's thanes or mesne tenants, mostly of Ilbert de Lacy. There may have been more. I have shown elsewhere that in other counties there were cases where the actual tenant of a manor was a native unnoticed in Domesday, and it seems clear that this was so in Earl Alan's Richmondshire estate. What seems rather strange is that the great majority of the large holders had survived the calamities of nearly twenty years. Of twenty-eight holders of eight or more manors (not including Gospatric), twenty-four remained, and only four had disappeared—Glunier, Gamelbar, Godric, and Haldane. Of small holders twenty remained, including six unnamed. I suspect that some of them had returned from Scotland and made their peace.

Gospatric is a specially interesting personage. I used to imagine that the great earl, who had a talent for "sitting on the fence" and making friends on both sides, might have somehow cajoled the Conqueror into leaving him a goodly slice of his English property. It seemed unlikely that any man unknown to history should have been left in possession of the second largest estate which any Englishman was permitted to retain.<sup>1</sup> But I learnt from Canon Greenwell that the earl had long been dead. Gospatric was a not very uncommon name a little later; but at this period of Domesday we know of only two Gospatrics in England, viz. the son of Arkil and Sigrida, and one of his three sons, the one commemorated by Simeon as having had to fight a duel with an ancestor of the Surteeses. The latter seems excluded, as the Gospatric of T.R.Ed. and of T.R.Wil. seem to be identical, and the son would hardly be old enough in 1065 to be a great landholder. But of the whole

<sup>1</sup> Largest, that is, in area. Brictric and lands of as large value. Colswan, however, had forty-one manors. four other King's thanes in Wiltshire had

seventy-three Yorkshire manors ascribed to Gospatric T.R.Ed., fifteen assigned to the King in Domesday (thirteen in the North and two in the West Riding) and eleven to Erneis de Burun, may very well have been originally the property of the earl, and confiscated accordingly.<sup>1</sup> And it is not likely that he had no property in Deira, though he had some in Bernicia. Gospatric Arkilson had succeeded to three properties of Arkil's—Burton, Bickerton, and Aldfield; and in Richmondshire, under Earl Alan, he retained, as tenant, ten of his own twelve manors, and seven of his presumed father's.

Though Gospatric Arkilson's three sons all founded families, it would seem that, in accordance with the usual fate of English stocks of the Norman period, they did not rise in position. Mr. Brown kindly informs me that "Gospatric's estates were divided, it seems probable, amongst his sons—Gospatric, Uctred (de Allerston<sup>2</sup>), and Dolfin (de Thoresby). The first named was the supposed father of Thurstan (a godson most likely of Archbishop Thurstan), whose son Alan exchanged, in 1173, with Archbishop Roger all the lands which his father's ancestors had held in Stainley (? Staveley or Stainley) for lands in Bishopton, near Ripon."

Again, in Askwith, Patricius de Westwick held (*Kirkby*, p. 44) one-third part of John de Vescy and Ilbert de Vescy, of the King. Mr. Brown suggests that this one-third part was the two carucates Gospatric had had there in Domesday. The name Gospatric (Vassal of St. Patrick) evolved into Patrick in other cases. "Patricius de Westwick, with Petrus de Middelton, also holds Middelton from the Percy fee for  $\frac{1}{4}$  fee; this is apparently," says Mr. Brown, "the Middleton in Claro Wapentake which Gospatric had." In the *Nomina Villarum* (1316), Thoresby is ascribed to Hugo de Thoresby; this was a waste tenancy of Gospatric's, under Earl Alan. The Uctred family, one of whom was Dean of York, may not improbably have been another branch of this stock.

Of the numerous mesne tenants with Anglian or Scandinavian names, perhaps even more numerous than my estimate in the table—for where a King's thane and a tenant bear the same name I have counted him as a King's thane only—most were on the land of Ilbert, but a few on that of Osbern de Arcis, or William de Perci, or Erneis de Burun.

<sup>1</sup> Erneis had four houses in York, which had belonged to Grim, Alwin, Gospatric, and Gospatric. I cannot say whether this description implies two Gospatrics or not.

<sup>2</sup> Allerston, N.R. Gospatric had it "T.R.Ed., 3 carucates." Now the King, "Waste" seemingly. Another instance of the way in which the English holder held on as tenant, though not named in the record.

In many cases the manor tenanted was of but small extent, and was returned as waste, without value. To help our judgment of the actual condition of things, I append a few samples of descriptions in Domesday.

Willoughby (Notts.). Elwin and Ernwin hold three oxgangs of the King. It is waste. 5 acres of meadow and 5 bordars (!). Value T.R.Ed. 10<sup>s</sup> 4<sup>d</sup>, now 4 shillings. How did the bordars live?

Helperby, 5 carucates, might be 3 ploughs. St. Peter had and has it, but it is waste; now one Rayner holds it, and pays 6 shillings.

Ardsley, 5 car'. 3 ploughs. Suen holds it of Ilbert; he has one plough. Wood pasture, 1 x 1 leuca. No population mentioned. Value T.R.Ed. 30<sup>s</sup>, now 10<sup>s</sup>. Suen had other properties not far away, which may have supplied labour.

Warthill, 2 car'. Sorchoved (? Swarthead or Starkad) had; Earl Robert has it. It is waste; still 2 villans have 2 ploughs, and pay 2<sup>s</sup>. This I cannot understand.

Billingsley. Suen, 5 car', might be 3 ploughs. Roger de Busli has it, and it is waste; 20 acres meadow. T.R.Ed. 40<sup>s</sup>, now 10<sup>s</sup>.

Milford. Ulstan, 2 car', 1 plough. Tursten holds of Ilbert; 4 villans and 5 bordars; but they do not plough [having, I suppose, no oxen]. T.R.Ed. 10<sup>s</sup>, now 10<sup>s</sup>.

Oderesfelt (Huddersfield). Godwin, 6 car', 8 pl<sup>s</sup>. He now has it of Ilbert, but it is waste. Wood pasture, 1 x 1. Value T.R.Ed. 100 shillings. Godwin had been a large proprietor, but this seems to be all he had left to him. Of this last formula the instances are very numerous; but the others which I have cited are more or less samples of the several kinds of exceptions to the usual formula.

Godwin was a probable ancestor of one or more of the actors in the famous Elland vendetta. But how did such a man obtain a living? Some of the extracts above quoted may give us hints. Clearly, though the Englishman depended so largely on agriculture, and though taxation and rent depended on it, there were other ways of turning land to some little account. There were sheep on the moors, for the rhyming scores were almost certainly already in existence; there were bees; there were hens; there were fish in the becks; there was wood for the gathering: and, above all, there were swine in the beechen and oaken woods. And thus he might struggle on until, with the acquisition of an ox or two, agriculture became possible. He would probably have two or three of his old henchmen about him, though these would have no place in the Domesday record.

Population under similar circumstances increases fast, as it always does in new countries. Still, I do not see how some of the greater

desert tracts which have been mentioned could have progressed as they seem to have done without immigration from a distance. Some of the Norman owners had lands in other counties, whence they have transferred some of the superfluous, or at least not greatly needed, population. I think Hugh Fitz Baldric may have done so. And Professor Phillips's observations, and to a less extent my own, as to the presence of a type that may be French in parts of the great plain, lead me to think there was a certain amount of immigration, accomplished perhaps by stages, from the Continent, where population was redundant about that time. Such a type is not common along the Upper Aire, but I think it exists. I have looked into the surnames in the Poll-tax Lists for Craven, given by Mr. Speight, but have not derived much instruction from them. So late as 1379 it is evident that surnames had by no means become fixed in the lower class; nicknames, names of occupation, and patronymics, very commonly derived from what was known as the surer side, all abound. There are a few of the old Anglo-Danish names, as Thorbrand, Swayne, Gryme, Grundolf, Gudred, Suerdson (Siwardson?), Dolfynson, Boy, Gamle, and Horn. There are a few which indicate their derivation from some distance, such as Yris (Irish), Idonea (Derbshire, Will-Walays, de Lond', Scot, Hawell (?), and a few which are certainly or doubtfully French, or indicative of foreign origin. Such are Brabaner, Maugerneys, Turpyn, Colwyl, Duket, De Grenfell, Tescy, Taburner, Daunay, Moune, Scutolyer, Beket, De Cressy, Lowage, Lemyng (?), Malgot, Challoner, De Lyndesay, Tyrell, Juglare, and Melyn timer. But the form of the patronymic is the Scandinavian, thus Matilda Daudoghter, Elias Mabson.

On the whole, the impression one gets is that Craven had not probably been much colonised by the English before the arrival of the Danes, and that the French took some part, though not a large one, in its repeopling after the great ravages.

#### NOTES ON THE MAP.

The map was intended to include all the estates, *i.e.* manors and berewicks and sokes, mentioned in Domesday, and I believe accomplishes its object fairly well. There are doubtless other omissions, but the following eighteen are all those of which I am aware:—

Bratby and Watercroft, near Leeds; waste.

Clifton (berewick of Boroughbridge); waste.

Caldcotes, Chipperton (Kepsthorpe?), and Cuford, berewicks of Kippax; all waste.

Cross-stones, near Todmorden; waste.



Grimshaw; an estate of Roger de Busli, with six inhabitants.  
Battersby (? Batterax) in Staincliff, and Bugworth; an estate of  
Roger de Busli, with six inhabitants.  
Besthan and Sossacre; waste berewicks of Knaresborough.  
Gamesford (De Bruis's fee).  
Eastwick, on the Yore; waste.  
Westerby, near Snyder; Roger of Ilbert; five vills and four  
berewicks.  
Wildthorp, near Cadeby; Roger de Busli; one plough and one  
priest.  
Malcheton, near Tadcaster; a fishery; waste.  
Thoak (?); King's waste, near Holmfirth.

It will be observed that of the eighteen, twelve are certainly waste,  
three inhabited, and three doubtful.

Manors and their subordinate members are generally connected  
by thin lines, as, *e.g.*, in the great manor of Wakefield. Sometimes  
these lines are used to link properties whose holders or population  
are in common.

Gospatric's manor of Poppleton is probably misplaced; Mr. Brown  
thinks it must be a lost vill near Kirkby Malzeard.

While cultivation in many places extended beyond its present  
limits, in others the waste had not been reclaimed; thus there are  
"thwaites" in the county now, unknown to the compilers of Domesday.



TWO MORE YORKSHIRE PARDONS, OR  
KNARESBOROUGH LETTERS OF FRATERNITY:  
WITH A NORTH GERMAN EXORCISM.

EDITED BY THE REV. CHR. WORDSWORTH, M.A.

IN 1901 I had the honour of editing, for the *Yorkshire Archæological Society's Transactions* (vol. xvi. pp. 369-423), four Pardons or Letters of Fraternity granted by the Trinitarian Friars of St. Robert of Knaresborough for the Redemption of Captives in 1412, 1480, 1501, and 1527, together with one Letter of Fraternity issued by the York Franciscans or Greyfriars in 1479. One of the originals belongs to the 'Bradford Antiquarian and Historical Society' (and permission to examine it was obtained through the kindness of J. Lister, Esq., of Shibden Hall, Halifax), and the remainder belong to the Rev. C. S. Slingsby, of Scriven Park, Knaresborough.

More recently, through the kindness of Mrs. Tempest, of Broughton Hall, Skipton, I have been allowed to examine two other Knaresborough Letters of Fraternity, issued respectively to Sir W. Bakerston in 1495, and Richard Gelybrend, chaplain, in 1512, and now in the collection of Edmund Starkie, Esq., of Huntroyde, Padiham, Burnley, by whose kind permission I have made the transcript and translation now presented to the reader. As in my former paper, I will give the translations first.

The initial "F" of the first of these documents is ornamented in the centre with a shield, *argent*, bearing a cross *ancrée*, the upright member being (I think) tinted *gules*, the horizontal bar, *azure*. The cross figured in the representation of a Trinitarian friar in Dugdale's *Monasticon* (vol. vi., between pp. 1566-7, after Hollar), shows the (eight-pointed) cross, worn embroidered on the breast of the habit, and also on the left shoulder of the cloak.

I.

INDULGENCE, WITH LETTERS OF FRATERNITY, GRANTED  
IN 1449 BY ROBERT, MINISTER OF ST. ROBERT'S BY  
KNARESBOROUGH, OF THE ORDER OF H. TRINITY  
FOR THE REDEMPTION OF CAPTIVES, TO SIR  
WILLIAM BAKERSTON.

**B**ROTHER RICHARD, minister of the house of St. Robert by Knaresborough, of the Order of Holy Trinity and the Redemption of Captives, who are imprisoned for the faith of Jhesu Christ by the paynim, To Sir WILLIAM BAKERSTON greeting and sincere love in the Lord.

Whereas among privileges apostolic granted of old time to us and to our Order aforesaid by the Holy Apostolic See, and by the same See canonically confirmed anew, certain spiritual<sup>1</sup> benefits to the following effect are contained :—

To all persons truly penitent and confessed, who shall have given a helping hand for the maintenance of the said Order, we remit six years and eighty days of penance enjoined. We also grant that all brethren and sisters associate of the confraternity of the said Order, who shall have given a certain portion of their goods and contributed benevolences yearly to the brethren or messengers (collectors) of the said Order, may choose each year a fit priest as their confessor, who, after hearing their confessions diligently, may enjoin salutary penance for their sins committed, unless these be so grave as to require that the Apostolic See be duly consulted thereupon.<sup>2</sup>

To [parish] priests and clerks, and other secular priests, and religious men of whatsoever religious rule or habit, as well as nuns, if they shall have sent contributions of their goods to the said house, whatever they shall have omitted through inability, negligence, forgetfulness, or bodily weakness, in divine service and canonical hours, it shall be utterly excused them. And each associate shall have a writing of the said fraternity; and church burial shall not be denied him, unless he were expressly excommunicate by name. If any benefactor die within the year, he is of our special favour absolved of all his sins truly lamented and confessed, the Chapter "*Abusionibus*" notwithstanding.<sup>3</sup> We, considering the sincere affection wherewith thou dost humbly crave to be entitled to the freedom of the said Order, do by virtue of these presents admit thee by this authority allowed to us; and under the form and effect thereof we grant that thou mayest truly enjoy the aforesaid as well as other privileges conceded to the associates of our Order, to thy soul's health. We add for thee, moreover, of special favour this benefit, that when, next after thy decease, these present letters shall be exhibited in our conventual chapter, the same service of commendation shall be performed for thee as is customably done there for our brethren departed. In witness whereof, our seal is appended to these presents. Given in our said house, A.D. 1449.

(?) "C (or T) . . . L (?) ee."—The signature (or the amount) appended by the pardoner or collector is illegible, having been written with inferior ink.

<sup>1</sup> "*Spalia*" may equally well stand for "*special*."

<sup>2</sup> Compare the verses on Cases Reserved, "*Per papam: Feriens clerum, falsarius, urens,*" &c.

<sup>3</sup> *Abusionibus*: See *Corpus Juris Canonici*, in *Clementinis*, lib. v. tit. ix. cap. 2, ex Concilio Viennensi (A.D. 1312), where eight evil practices of pardoners are stigmatised.

## II.

INDULGENCE, WITH LETTERS OF FRATERNITY, GRANTED  
IN 1512 BY ROBERT, MINISTER OF ST. ROBERT'S BY  
KNARESBOROUGH, OF THE ORDER OF H. TRINITY  
AND REDEMPTION OF CAPTIVES, TO RICHARD  
GILYBREND, CHAPLAIN.

TO ALL MEN who shall look upon the present letters, ROBERT, minister of the House of Saint Robert by Knaresborough, in the diocese of York, of the Order of the Holy Trinity and Redemption of Captives of the Holy Land, who are imprisoned by the paynim for the faith of Jhesu Christ, health and greeting in Him of whom is full remission of all sins.

We make it known that whereas sundry reverend pontiffs have endowed all and singular the brethren and sisters associate of our Order with many privileges; and in particular that the brethren and sisters associates of our community may choose unto themselves annually a fit priest, either of Seculars or of any Order whatsoever, even of the religious begging friars, as their confessor, who may absolve them of all their sins which be not reserved to the Apostolic See, and once in their lifetime of all sins, even in cases to the Apostolic See howsoever reserved; the which privileges the most holy father and lord, Lord Julius, of our day, the Second, hath himself confirmed and approved; also that their confessor may have power to confer remission and plenary indulgence of all their sins in the hour of their death.

TO [PARISH] PRIESTS and clerks and other Secular priests, or to men of religion as well as to women, of whatsoever religious rule or habit, as to nuns, if they have sent contributions of their goods to the said Order, whatsoever they shall have omitted through inability, negligence, forgetfulness, or bodily weakness, in divine service or canonical hours, it is utterly excused them. And each associate brother shall have a writing of the said fraternity; and church burial shall not be denied him, by whatsoever death he may die, unless he shall have been expressly excommunicate by name. Whereas therefore <sup>1</sup>we receive with devotion in Christ Richard Gilybrend, chaplain, he has promised his confraternity after the manner of his confraternity,<sup>2</sup> and hath contributed of his goods, fulfilling the tenor of the letters Apostolic, we make him our partner accordingly, both in life and death, together with all his friends living and departed, and in all the prayers of our religious rule aforesaid.

Given under our seal in our said house in the year of our Lord 1512.

<sup>1-2</sup> There is some obscurity as regards the grammar.

*(Dorso)*¶ *Annual absolution.*

OUR LORD JESUS CHRIST of His most loving pity absolve thee; and I, by authority Apostolic committed to me in this behalf, and granted to thee, do absolve thee of all thy sins truly repented and confessed, not reserved to the Apostolic See.

¶ *Absolution to be given once in a lifetime.*

OUR LORD JESUS CHRIST of His most loving pity absolve thee; and I, by authority Apostolic committed to me in this behalf, and granted to thee, do absolve thee of all thy sins truly repented, confessed, or forgotten, even from cases to the Apostolic See in any wise soever reserved. In the Name of the Father, and of the S[on, and of the Holy Ghost. Amen].

¶ *Absolution of plenary character and release in the  
Hour of Death.*

OUR LORD JESUS CHRIST of His most loving pity absolve thee; and I, by authority Apostolic committed to me in this behalf, and granted to thee, do absolve thee of all thy sins truly repented and confessed or forgotten, and I give thee also plenary remission of all thy sins, and indulgence, remitting to thee the pains of purgatory which thou hast deserved to suffer for sins and offences, so far as the keys of holy Mother Church can reach. In the Name of the Father, and of the Son, [and of the Holy Ghost. Amen].

## I.

FRATER RICARDUS minister domus sancti Roberti iuxta Knaresburgh' ordinis sancte Trinitatis et redempcionis captiuorum qui sunt incarcerati pro fide Ihesu Christi a paganis dño Wilelmo bakerston Salutem et sinceram in dño caritatem.

Cum in priuilegiis Apostolicis per sanctam sedem apostolicam nobis et ordini nostro predicto ab antiquis temporibus indultis, et per eandem sedem de nouo canonice confirmatis, inter cetera quedam spiritualia contineantur indulta continentie subsequentis.

Omnibus vere penitentibus et confessis qui ad sustentacionem dicti ordinis manus porrexerint adiutrices sex annos et octaginta dies de iniuncta penitencia relaxamus. Eciam concedimus quod omnes confratres et consorores predicti ordinis qui dederint certam quantitatem bonorum suorum et annuatim fratribus vel nuncijs eiusdem ordinis beneficia persoluerint, possint eligere annuatim ydoneum presbiterum in confessorem, qui, eorum confessionibus diligenter auditis, eis pro commissis penitenciam impendere valeat salutarem, nisi talia sint propter que sedes apostolica sit merito consulenda.

Presbiteris et clericis et alijs sacerdotibus secularibus ac viris religiosis cuiuscumque religionis et habitus quam monialibus si dicte domui de bonis suis transmiserint quecunque per impotenciam negligenciam oblivionem aut corporis debilitatem in diuinis et horis canonicis obmiserint, penitus est eis remissum. Et quilibet confrater habebit scriptum dicte fraternitatis, et eidem sepultura ecclesiastica non negetur si<sup>1</sup> nominatim fuerit excommunicatus. Si quis benefactor infra annum moriatur, de omnibus peccatis suis vere contritis et confessis est de nostra gracia speciali absolutus, capitulo de abusionibus non obstante.

Nos, tue deuocionis, qua fraternitati dicti ordinis humillime postulas mancipari, sincerum considerantis affectum, te in confratrem nostri ordinis tenore presencium auctoritate nobis indulta admittimus. Et concedimus ut dictis et alijs priuilegijs nostri ordinis confratribus eiusdem indultis sub formam et effectum eorundem libere perfruaris tue anime ad salutem. Adicimus insuper tibi beneficium de gracia speciali quod cum in nostro conuentuali capitulo post obitum tuum presentium facta fuerit exhibicio literarum, eadem pro te fiet commendacio que pro fratribus nostris defunctis ibidem fieri consueuerit. In cuius rei testimonium, sigillum nostrum presentibus est appensum. Datum in domo nostra predicta, Anno dñi millesimo cccc<sup>mo</sup> x<sup>lo</sup> ix<sup>o</sup>.

The seal, formerly attached, is gone. This Indulgence, or Letters of Fraternity, is written in fourteen long lines, on a narrow strip of parchment, measuring 11½ in. by 4¼ in., as folded for sealing. It is endorsed: "27 : H : 6," in an old hand (? seventeenth century), and is recently numbered "5" in pencil.

## II.

VNIUERSIS presentes literas inspecturis ROBERTVS minister domus sancti Roberti Juxta Knaresburgh' Eborum dioces' ordinis sancte Trinitatis et redempcionis captiuorum terre sancte qui sunt incarcerationati pro fide Jhesu Christi a paganis salutem in eo per quem omnium peccatorum plena sit remissio Notum facimus quod cum plurimi Reuerendi pontifices omnes et singulos confratres et consorores nostri ordinis multis priuilegijs dotauerint presertim in eo quod nostri confratres et consorores possint sibi annuatim eligere ydoneum presbiterum secularium vel cuiusuis ordinis eciam mendicantium Religiosorum in confessorem qui eos absoluat ab omnibus peccatis sedi apostolice non reseruatis et semel in vita ab omnibus peccatis eciam a casibus sedi apostolice quomodolibet reseruatis qui<sup>2</sup>

<sup>1</sup> Judging from similar documents, we might suggest the reading 'ni' or 'nisi.'

<sup>2</sup> Sic, in MS.

quidem priuilegia ipse Sanctissimus in Christo pater et dñs dñs Julys Julys<sup>1</sup> secundus modernus confirmauit et aprobauit; et in articulo mortis plenarium omnium peccatorum suorum remissionem et indulgenciam eis impertiri valeat.

PRESBITERIS et clericis et alijs sacerdotibus secularibus vel viris religiosiis tam mulieribus cuiuscunque religionis et habitus quam monialibus si dicto ordini de bonis suis transmiserint, quicquid per impotenciam, negligenciam, obliuionem aut corporis debilitatem in diuinis vel horis canonicis obmiserint, penitus est eis remissum. Et quilibet confrater habebit scriptum dicte fraternitatis, et eidem sepultura ecclesiastica non negetur quacunque morte moriatur, nisi nominatim fuerit excommunicatus, cum igitur deuote<sup>2</sup> recipimus in Christo Ricardo gilybrend capellano . . . fraternitatem suam<sup>3</sup> modo confraternitatis confratrie sue promisit de bonisque suis contribuerit tenorem literarum apostolicarum adimplendo ideo ipsum associamus in vita pariter et in morte vna cum omnibus amicis suis viuis et defunctis, et in omnibus suffragijs nostre predictae religionis.

Data sub sigillo nostro in domo nostra predicta Anno Domini Millesimo Quingentesimo duodecimo.

(Dorso)

*Absolutio Annualis.*

**D**OMINUS noster Jhesus Christus per suam pijssimam misericordiam absoluat (te), et ego auctoritate apostolica michi in hac parte commissa et tibi concessa absoluo te ab omnibus peccatis tuis vere contritis et confessis et oblitis sedi apostolice non reseruatis.

*Absolutio semel in vita.*

**D**OMINUS noster Jhesus Christus per suam pijssimam misericordiam absoluat te, et ego auctoritate apostolica michi in hac parte commissa et tibi concessa absoluo ab omnibus peccatis tuis vere contritis confessis et oblitis, Eciam a casibus sedi apostolice quomodolibet reseruatis. In nomine patris e[t] fi[lij] et spiritus sancti. Amen].

*Absolutio plenaria et remissio in mortis articulo.*

**D**OMINVS noster Jhesus Christus per suam pijssimam misericordiam absoluat te, et ego auctoritate apostolica michi in hac parte commissa et tibi concessa absoluo te ab omnibus peccatis tuis vere contritis confessis et oblitis et do tibi eciam plenariam omnium peccatorum remissionem et indulgenciam remittendo tibi penas purgatorij, quas pro peccatis et offensis pati meruisti, in quantum clauis sancte matris ecclesie se extendunt. In nomine patris et filij.

<sup>1</sup> Sic.

<sup>2-3</sup> Sic.

The original is written on two sides of a strip of parchment, measuring  $8\frac{3}{4}$  in. in length; and in depth 4 in. at the left-hand margin, reduced to  $3\frac{1}{2}$  in. where two narrow shreds are cut, the first for attaching the seal, the other for a thong to tie round the scroll, as a surgeon or nurse splits a bandage at the end for the like purpose. The seal is a better impression of that appended to the Bradford Antiquarian and Historical Society's "letters" of 1501. (*Y.A.S. Transactions*, xvi. 420.)

In Dr. Walter de Grey Birch's catalogue of *British Museum Seals*, vol. i. p. 606, one example of a seal of the Trinitarians of Knaresborough is noticed, n. 3378 (lxxiv. 74). He describes it as a sulphur cast from an imperfect impression (fourteenth century) of a seal which, when perfect, measured about  $2\frac{1}{2}$  in. by  $1\frac{1}{4}$  in.


"Pointed oval: the Trinity on a carved throne, under a canopy. Below, under a carved arch, a man seated to the right, under a tree, reading a book.

ROBERTI : DE : . . . . ALE . . . RGTE."<sup>1</sup>

The one now before us is likewise a pointed oval, but it is a smaller seal, measuring  $1\frac{5}{8}$  in. by  $1\frac{1}{16}$  in. A man (presumably St. Robert) sitting on a stone, or bank, between trees, reading a book. Legend:—✠ [SIGILL . DO]MVS . STI . ROB<sup>R</sup>TI . DE . KNARE-BVRGH .

## AN EXORCISM.

By way of supplement to a former paper on *Charms*, &c. (vol. xvii. pp. 377-412), I here communicate the text and translation of an exorcism, which was written in a small handwriting in the sixteenth century (probably in the North-West of Germany, on the Dutch border), upon the flyleaf of a printed volume of sermons, for Sundays, and for holy-days of the B.V. Mary, composed by Pelbart de Themeswar, a Franciscan Observant (an Order of friars of good repute). The printed work is known as *Pomerium Sermonum*, and *Stellarium Coronae*; and the edition in question was printed in parts in 1515-17. "Impensis Jo. Rynman de Oringaw, in officina Hen. Gran in Hagnaw." The volume belongs to the Rev. J. B. Grattan, of the Wesleyan manse, Marlborough. The middle portions, which should contain sermons *de Sanctis*, and the *Quadragesimale triplex* has a note written on the title page by one of the first owners, to

<sup>1</sup> I read the discernible letters, ✠ S . . . ROBERTI : DE : [KN]ARE[S-  
BV]RGHE ÷ The Lombardic  (the last letter but one) comes out quite plainly in a photograph, taken from Mr. Ready's cast.



point out the discrepancy—"Hoc habes in alia parte De Sanctis *Ibydem: quere illud et invenies.*"

On the title page is written, "*Ludolphus Pruss . . . me possidet,*" above the name of some earlier owner, partly obliterated, ". . . *uss Al . . ss.*" Lower down the book is made to tell its story, thus:—"Specto Vicariatui Gronaviensi ordinis prædicatorum" ("I belong to the Vicariate of Gronau, of the Dominican Order"); and "*Pro Conventu Gronaviensi*" is written at the other end of the volume. On the fly-leaf at the beginning, over leaf, we read (from *Gen.* i. 31): "Undt Gott sah an alles, und alles was er gemachte und sie da es war alles sehr gut." Also (from *Isaiah*, liii. 4): "Furwar er trug Vnser Kranckheit," followed by an alphabet. At the back of the title page is written: "*Plures sunt homines in pœnis quam in gloria: dictum domini Augustini in libris De Civitate Dei. Hoc ego Gasparus Vasun scripsi in signum amictiæ veteris mei amici Ludolphi Brussii. Anno Christi 1586, 20 Aprilis.*"

Then follows the closely-written form of exorcism, with an opening nearly akin to the conclusion of the *Preface* in the Latin mass:—

QVEM Cherubin et Seraphin collaudant dicentes, Sanctus Sanctus Sanctus Dominus Exercituum qui regnat et dominatur per infinita secula seculorum. Amen.

Benedictio domus.

Dominus vobiscum.

[Et cum spiritu tuo.]

IN principio erat verbum, &c. [1 Jo. i.—sicut in Evangelio Nativitatis Domini.]

Per evangelica dicta [: deleantur nostra delicta].<sup>1</sup>

Deus, in adiutorium meum [intende].

Domine, ad adiuuandum me festina.] Qui fortitudin.<sup>2</sup>

<sup>1</sup> I have given the usual expansion of the *Benedictio ad Lectorem*, "Per evangelica dicta." The exorcists, however, sometimes used other forms: (1) Per evangelica dicta. Extinguatur, dissipetur, et destruitur omnis malitia Diabolica. In nomine Patris. Stampa, *Fuga Satana*, p. 13. Or (2) "Per evangelica dicta, extingatur in te N. omnis virtus diabolica et infundatur virtus divina. Amen." Mengi, *Fustis*, p. 48; and his *Flagellum*, p. 40.

<sup>2</sup> I am at a loss to find the verse to which '*Qui fortitudin* [. . .]' was the cue. Besides the usual service-books, I have looked through the following:—

*Coniuratio Malignorum Spirituum.*  
Vatican Basilica. Circa 1500.

Hieron. Mengi, *Flagellum Demonum.*  
Bologna. 1582.

Valerii Polidori, *Practica Exorcistarum.* Padua. 1582.

P. A. Stampæ, *Fuga Satana.* Como. 1597.

Hieron. Mengi, *Fustis Demonum.* Venice. 1644.

Candidi Brognoli Bergamensis, *Manuale Exorcistarum.* 4to. Lyons. 1658.

I am half inclined to read, with *Fustis Demonum*, the second form of exorcism, p. 78, "Adiutorium nostrum, &c. R. Qui [fecit celum et terram]. Esto, Domine, turris fortitudinis." For another MS. exorcism, see *Notes and Queries*, 6th Series, viii. p. 245.

*Hymnus.* Veni, Creator Spiritus, &c.  
Emitte spiritum tuum, et c[reabuntur].  
[Et renouabis faciem terre.]

*Col[lecta].*

DEVS, qui corda fidelium [Sancti Spiritus illustracione docuisti: da nobis in eodem Spiritu recta sapere, et de eius semper consolacione gaudere. Per. In vnitate eiusdem Spiritus sancti. Amen.

O crux benedicta, que sola fuisti digna portare regem celorum et dominum potestatum ✠ Salua ✠ Benedic ✠ et sanctifica populum inhabitantem, et domum istam ✠ crucis per signacula pauores et morbos auerte corporis et anime, contra te signum nullum stet positum . . .<sup>1</sup>

*Versus.* Adoramus te, Christe, [et benedicimus tibi.]

[*Responsorium.* Quia per crucem tuam redemisti mundum.]

Oremus.

DEVS, qui crucem sanctam ascendisti, et mundi tenebras illuminasti; tu corda et corpora nostra per virtutem sancte crucis illuminare et visitare dignare, per Christum.

Oremus.

BENEDIC, Domine, domum istam et omnes inhabitantes in illa [vt sit in ea sanitas, sanctitas, castitas, virtus, victoria, humilitas, lenitas, bonitas, mansuetudo, plenitudo legis, obedientia et gratiarum actio Deo Patri et Filio et Spiritui Sancto. Et sit super domum istam, et super omnes habitantes in ea tua larga bene ✠ dictio, ut in his manufactis habitaculis cum sobrietate manentes ipsi tuum sint semper habitaculum. Per Dominum nostrum Jesum Christum Filium tuum, qui tecum viuit et regnat in vnitate Spiritus Sancti Deus per secula seculorum. Amen.]<sup>2</sup>

In nomine patris, Jhesu Christi filij eius, ✠ et in vnitate spiritus sancti proinde omnis potestas<sup>3</sup> inimici et incursus demonum eradicare et explantare ab hac domo vales, per eum qui venturus est [iudicare viuos et mortuos et seculum per ignem].

Oremus.

SVPPlices, quesumus te, Domine, vt emittas sanctum angelum Raphaellem vt veniat sic vt repulit a thobia et Zara demonem mortiferum, eos infestantem per huius ✠ Benedictionis sanctificacionem contreat<sup>4</sup> illum et defendat.

De loco et de domo ista, de angulis et de loculis deque vniuersis locis in quibuscunque famulantes deo habitant et requiescunt, domi

<sup>1</sup> The last word of the line has faded past restoration. Those which immediately precede may possibly be read "sit" or "stet periculum."

<sup>2</sup> Only the opening catchwords, or cue, to this prayer being written in the MS.,

I have given a form combined from Salisbury and Roman rituals.

<sup>3</sup> Read perhaps: *premere omnis potestatem*, &c.

<sup>4</sup> Read: *conterat*.

manent et vigilant, ambulant et consistunt; nec redeat ille malignus spiritus, vel immundiciis suis amplius inquietare vel pauores immittere super habitantes domum istam, vel vbicunque hominum quos sancta crismatis tui vnctione fecisti immunitos, per eum qui ven[turus est iudicare viuos et mortuos, et seculum per ignem].

Exorciso enim et adiuro te, immunde Spiritus, per deum viuum ✠ per deum verum ✠ per deum sanctum, vt exeas et recedas de domo ista, et nunquam reuertens nos inhabitantes in illa et alicui hominum nec bruto animali pauorem immittas, per eum qui pedibus super mare ambulat et beato petro manum dexteram sue maiestatis porrexit.

In nomine patris et filij et spiritus sancti.

Et pax domini sit semper vobiscum.

O rex glorie, veni cum pace, homo Christus factus est. Amen.

<sup>1</sup>Wen eyn mensche betouert is, so shal hi det vorge sele overlezen loten van eynem prest' wen hi kompt eyn vch desen Koeln vnd vul hoffe mysse lezen So er schal he nicht specken so lange dat hi der hofft ouerlezen vul der he dre mael viel schal dissen breff den menschen hengen in den halsen so lange dat ich bitten weil vul na dissen wiste sol men dissen breff vole loten verotlegen den beesten wen so betouert syn.<sup>2</sup>

R. Hase.

#### TRANSLATION.

WHOM Cherubin and Seraphin together glorify, saying: Holy, Holy, Holy, Lord of Hosts, who reigneth and governeth through countless ages of ages. Amen.

#### THE BLESSING OF A HOUSE.

The Lord be with you: [*Answer.* And with Thy spirit.]

IN the beginning was the Word, &c.

[*The Gospel* for the third Mass on Christmas Day.]

By these gospel sayings may [all our guilt be washed away. Or, hellish powers be chased away, &c.]

O God, make speed to save me.

*Answer.* O Lord, make haste to help me. Who in Thy might . . . ?

*The Hymn.* Come, Holy Ghost, our souls inspire, &c.

Oh send out Thy Spirit, and they shall be made.

*Answer.* And Thou shalt renew the face of the earth.

*The Collect.* God, who didst teach the hearts of Thy faithful people, by sending to them, &c. [*Collect for Whit-Sunday.*]

<sup>1-2</sup> I must ask those who know the Dutch language, or the old dialect of the North-West German border, to excuse my blunderings, and to amend our reading.

I have expended much pains in trying in vain to get the passage more satisfactorily edited by someone who understands the language.

O Blessed Cross, worthy alone to bear the King of the heavens and the Lord of powers ✠ Save ✠ Bless ✠ and Hallow the people dwelling here, and this house. ✠ By the signings of the cross, turn Thou away the fears and ills of body and soul. May no sign, that is set contrary to Thee, [prevail!]

We adore Thee, O Christ, [and bless Thee.]

*Answer.* For by Thy Cross Thou hast redeemed the world.

Let us pray.

O GOD, who didst lift up Thyself upon the Cross, and didst enlighten the darkness of the world; vouchsafe, we beseech Thee, to visit and illuminate our hearts and bodies, through Christ our Lord. Amen.

Let us pray.

BLESS, O Lord, this house and all that dwell in it, that health and holiness, purity and virtue, may be found therein; may victory and lowliness, gentleness and goodness, meekness and the fulness of Thy holy law abound therein, together with thanksgiving to God the Father, Son, and Holy Ghost. And may Thy bounteous blessing descend upon this habitation, and rest upon all that dwell herein, so that in quiet conversation abiding in these buildings made with hands, they may themselves be made an holy temple to the Lord, through Jesus Christ our Saviour, &c.

In the Name of the Father, and of Jesu Christ His Son ✠ and in the Unity of the Holy Spirit: Thou dost avail to beat down the power of every enemy,<sup>1</sup> and to root out and extirpate the onslaught of evil spirits against this house, through Him who shall come to judge the quick and the dead and the world by fire.<sup>2</sup>

Let us pray.

WE humbly beseech Thee, O Lord, to send forth Thy holy angel Raphael to come to us; that, as he drove away from Tobias and from Sara the deadly evil spirit which molested them, so he may meet<sup>3</sup> him and drive him away, by the sanctification of this ✠ benediction.

From this place and from this house: from the corners and the closets, and from all places whereinsoever God's servants dwell or rest, where they watch and wake and stand. Let not that malign spirit return any more to disquiet them by his uncleanness, or to cast terrors upon the dwellers in this house, or in any other places among those whom Thou hast made free from him through the holy unction

<sup>1</sup> The text here is doubtful, or corrupt.

<sup>2</sup> Exorcisms do not conclude with *Amen.* <sup>3</sup> Perhaps "*conterat*": beat down. *Rom.* xvi. 20; *cf. Tobit*, viii. 2, 3.

of Thine anointing, through Him who shall come to judge the quick and the dead and the world by fire.

For I exorcise thee and conjure thee, O foul spirit, by the Living ✕ God, by the True ✕ God, by the Holy ✕ God, to go out, depart from this house; and nevermore, by returning, strike terror on us who dwell here or any of mankind, or of dumb animals, through Him whose path is on the great waters, and who to the blessed Peter stretched forth the right hand of His Majesty.

In the Name of the Father, and of the Son, and of the Holy Ghost.

And may the peace of God be ever with you all.

O King of Glory, come with peace.

Christ hath become man. Amen.

<sup>1</sup>IF a man is bewitched, he shall have the foregoing writing read over by a priest. When he comes, he must read it with great ..... He shall not speak anything [else] until he has recited it. Having read it over three times, he shall hang the writing about the man's neck, so long ..... read over ..... when it is thus bewitched.<sup>2</sup>

Photographs of the concluding passage have been submitted to five or six experts in England, Belgium, &c., but at present they have not succeeded in making out more than my friend, Mr. Robert Berndt, of Marlborough College, has deciphered. The scribe has scribbled off his vernacular conclusion with more speed and less precision than the Latin. The Latin itself, though easier to read, I found so difficult that I gazed at it for nearly forty minutes before I could read a single sentence. After that, I read the whole of the prayers without a check.

<sup>1-2</sup> Between the Latin form and the German or Dutch direction which follows, there is a line, which may be either a mere scrawl or else the indication of a prayer, in very minute, illegible script. I owe to scholars of old North-West

German or Dutch an apology for this attempt to give, conjecturally, the sense of a passage which I cannot properly read, and from a language which I do not know!

## THE CATTERICK BRASS.

By WILLIAM BROWN, F.S.A.

ABOUT three years ago Mr. Robert Blair, the secretary of the Newcastle Society of Antiquaries, came across a most interesting monumental brass, dated 1591, to the memory of Elizabeth, widow of Anthony Catterick, of Stanwick in Richmondshire, and it was arranged that a block should be made at the joint expense of the Newcastle and Yorkshire Societies from a rubbing, kindly made by Mr. John Gibson, the warder of the Castle at Newcastle, and it is from this block that the plate here given has been struck.<sup>1</sup> The original brass, said to have been found in the Hall at Hutton Magna, is believed to have come from Stanwick Church, and is now in the possession of Mr. Cathrick, of Piercebridge, near Darlington, by whose kindness it has been possible to get a rubbing.

The text of the inscription is as follows:—

Anno Domini 1591, Iulii 17, die Sancti Pantaleonis, regni regine Elizabethæ xxxiiij, obiit Elizabetha Catherick, vidua Anthonii Catherick de Stanweys, armigeri, cum quo in matrimonio vixit 58 annos, peperitque ei quinque filios et sex filias. Fratris autem eius filius ei successit, quambis vnus filius et tres filie remanserunt, quæ jam videntur coniunctæ. Prædicta autem Elizabetha multum mariti familiam et opibus et honore ditabit. Primogenita fuit et vna hæredum Rolandi Tempest de Homsett in comitatu Dunelmi; ex matris parte Radcliff, de digna familia Wilston. Prædictus Rolandus et arma merito gessit, et terras quasdam iure tenuit nobilis et illustris Umfreville, olim Comitis de Anguishe in Scotia, et baroni (sic) de Prode et Biddisdale.

CVIVS ANIMÆ DEVS MISEREATVR.

This inscription may be Englished thus:—

In the year of our Lord 1591, July 17, on the day of St. Pantaleon, and of the reign of Queen Elizabeth xxxiiij, died Elizabeth Catherick, widow of Anthony Catherick, of Stanweys, esquire, with whom she lived in marriage 58 years, and bore to him five sons and six daughters; but the brother's son succeeded him, although one son and five daughters remained, which daughters are now living married. However, the aforesaid Elizabeth much enriched her husband's family

<sup>1</sup> A brief account of this brass with the *Society of Antiquaries of Newcastle-upon-Tyne*, 3rd Series, i. 90.

both in wealth and honour. She was the first-born and one of the heirs of Roland Tempest, of Homsett, in the county of Durham, and on her mother's side a Radcliff, of the worthy family of Dilston. The aforesaid Roland both duly bore the arms and lawfully held some of the lands of the noble and illustrious Vmfreville, formerly Earl of Anguishe, in Scotland, and baron of Prode and Riddisdale.

*On whose souls God have mercy.*

According to the inscription, Elizabeth, wife of Anthony Catterick, was one of the daughters and coheirs of Roland Tempest, of Homsett, in the county of Durham, more usually called Holmesett and now known as Holmside, a parish eight miles north-west of Durham. Her mother was Anne, daughter of Sir Edward Ratcliffe, knight, stated by the brass to have been a member of the Dilston line.<sup>1</sup> Her great-grandmother was Elizabeth, one of the daughters and coheirs of Elizabeth, wife of William Elmeden, daughter of Thomas Umfraville, and one of the sisters and coheirs of Gilbert Umfraville.<sup>2</sup> Members of the Umfraville family had been earls of Angus in Scotland, and barons of Prudhoe and Redesdale in Northumberland. It was in consequence of this marriage that "the Tempests of Holmsett were first advanced to honest and substantial living in these parts of Durham."<sup>3</sup>

The descent of her husband, Anthony Catterick,<sup>4</sup> is not so clear. Plantagenet Harrison<sup>5</sup> says that William de Cateryck, a citizen and mercer of York, purchased the manor of Stanwigges before 1 Hen. IV. (1399-1400). No authority is given for this statement, and it seems to be contradicted by the inquisition,<sup>6</sup> made after the death of John Catterick, who died on Oct. 6, 18 Edw. IV. (1478), leaving a son, John, aged thirty and upwards.<sup>7</sup> From this inquisition it would

<sup>1</sup> *Tonge's Visitation* (Surtees Soc., xli. p. 103). Roland Tempest is here erroneously stated to have died without issue, and also that he entailed Holmside on that poor house. This latter statement is contradicted by General Plantagenet Harrison (*History of Yorkshire*, p. 498), who says that on Aug. 7, 34 Hen. VIII. (1542), Catterick and his wife, and her sister Anne with her husband, Cuthbert Brackenbury, sold the manor of Holmside, but the purchaser's name is not given. There was another sister, Grace, who married Cuthbert Hutton, of Hutton John (*Visitations of Durham*, edited by Joseph Foster, p. 290).

<sup>2</sup> *Deputy Keeper of Public Records Reports*, xxxiv. 225, xlv. 378, and xlv. 273.

<sup>3</sup> *Tonge's Visitation* (Surtees Soc., xli. p. 103).

<sup>4</sup> The Catterick arms were, Quarterly, 1 and 4, argent, on a fesse engrailed sable three quatrefoils; 3 and 4, chequy argent and sable a border gules (Foster's *Visitations of Yorkshire*, p. 255). The second coat is styled Catterick ancient. It seems to be a variation of the arms of John de Dreux, Earl of Richmond, who died in 1306, chequy or and azure a canton ermine and a border gules.

<sup>5</sup> *History of Yorkshire*, i. 498. Two wills of the Catterick family are printed in the *Test. Ebor.* (ii. 74, 135), namely of Alice, widow of Thomas Catryk, citizen and mercer of York, and of Walter Catryke, of York, barbour.

<sup>6</sup> *Add. MS.* No. 26722, fo. 113.

<sup>7</sup> John Catterick married Lucy, daughter of John Borough or Burgh, of Burgh, now Brough (*Visitation of Yorkshire*, 1563-4, p. 26).

appear that Catterick was only seised of a messuage and carucate of land in "Standwyll," worth ten marks a year, and held of the prior of St. John of Jerusalem, and did not possess the manor.

The *inq. post mortem* of the younger John Catterick was taken in 24 Henry VII (1508-9).<sup>1</sup> It is very difficult to read, but appears to give the same information as that contained in his father's.

The manor had certainly come into the possession of the Catterick family before 1551, the date of the inquisition, taken after the death of William Catterick, Esq., who was seised of the manors of "Stanwikes" and Aldburgh at the time he died, Sept. 3, 1550.<sup>2</sup> This William Catterick was the son of the second-named John Catterick. By his wife, Margaret, daughter of John Saltmarshe,<sup>3</sup> he was father of Anthony Catterick, mentioned in the inscription. If General Harrison<sup>4</sup> is right Anthony Catterick must have married his wife, Elizabeth Tempest, before Dec. 1, 19 Hen. VIII. (1527), when the manor of Aldbrough in the parish of Stanwick, was settled upon her. In 1556<sup>5</sup> Anthony Catterick made a strange settlement of the manors of Stanwick and Aldbrough and his other property. Under this arrangement, after the termination of the life interests of Catterick and his wife, the property devolved upon their son who should be born after the date of the settlement, in tail male, with similar remainders to the settlor's brothers, George and Francis, and then to his heirs female, remainder to Anthony's right heirs in fee. There was no male heir born after the date of the settlement, so under its provision the property devolved on the settlor's brother George. The only son, Thomas, who was excluded by this settlement, was over fifty at the time of his father's death, Dec. 6, 1585. The reason for passing him over in favour of the next heir male was because he was an idiot.<sup>6</sup> The three daughters, who survived and married, were Mary, wife of Roger Meynell, of North Kilvington; Grace, wife of Robert Lambert, of Oughton in the parish of Seaton Carew, near Hartlepool; and Dorothy, wife of Francis Scrope, of Spennithorne. The next owner of Stanwick, George Catterick, who was living at Carlton in the parish of Stanwick, in 1585, married Margaret, daughter of Anthony Eltoft.<sup>7</sup> He died on Dec. 21, 1592, leaving a son and heir, Anthony, aged thirty and upwards.<sup>8</sup> Anthony married Joyce,

<sup>1</sup> *Chancery Inq. p. m.*, 24 Henry VII., No. 5 (Vol. xx. Series 2).

<sup>2</sup> *Chancery Inq. p. m.*, 5 Edw. VI., Part i. No. 44 (Vol. xciii. Series 2), and Plantagenet's *History of Yorkshire*, p. 496. The place, printed by Harrison *Hylbown* and *Domaynes*, should be *Hylboure* and *Demaynes*.

<sup>3</sup> *Visitation of Yorkshire*, 1563-4, p. 272.

<sup>4</sup> *History of Yorkshire*, p. 498.

<sup>5</sup> *Ibid.*, p. 499. *Ch. Inq. p. m.*, 28 Eliz., No. 169 (Vol. ccxi. Series 2). See also *Feet of Fines (Tudor)*, i. 198.

<sup>6</sup> *Lansdowne MS.*, No. 900, fo. 214.

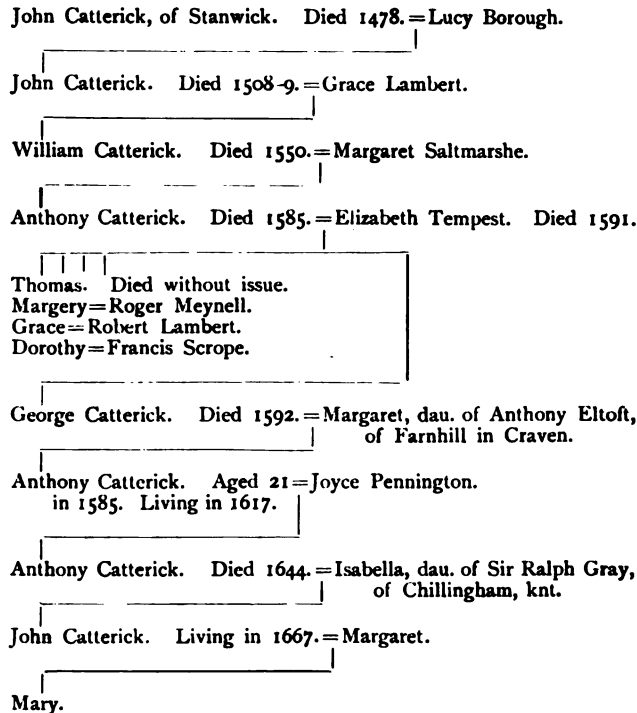
<sup>7</sup> *Visitations of Yorkshire*, 1584-5 and 1612, p. 301.

<sup>8</sup> *Inq. p. m. of George Catterick*, printed in Plantagenet Harrison's *History of Yorkshire*, 497.



daughter of William Pennington, of Muncaster, the marriage settlement being dated May 29, 32 Eliz. (1590).<sup>1</sup>

From this time the prosperity of the Catterick family kept declining. Anthony Catterick and his son, Anthony, disposed of the manor of Aldbrough in 1610; and Anthony the younger, who died in 1644, conjointly with his son, John, sold the manor of Stanwick in 14 Car. I. (1638-9), to Hugh Smithson, citizen and haberdasher of London, an ancestor of the Duke of Northumberland, the present owner. This last-mentioned John Catterick had an only daughter, Mary, who was living in 1667, of whom nothing is known, and with whom the family seems to have died out.<sup>2</sup>



<sup>1</sup> As the bride's father was dead, her mother, Bridget, then called Lady Bridget Askew, of Seaton, co. Cumberland, was one of the parties to the settlement (Plantagenet Harrison's *History of Yorkshire*, p. 497).

<sup>2</sup> *Ibid.*, pp. 498, 520. The following Catterick wills occur in the list of Richmondshire wills, but only one, that

of Francis Catterick, of Stanwick, gent., 1559, exists. It has been printed by the Surtees Society in *Richmondshire Wills*, p. 138. The others are Anthony Catterick, Esq., 1585; Edmund, 1558; Elizabeth, sequestration, 1590; George, Esq., Carleton, administration, 1593; George, Esq., sequestration, 1578.

The prayer for the dead, "Cujus animæ Deus misereatur," which has been added at the end of the inscription, deserves some special notice. Certainly, after the middle of the sixteenth century, inscriptions asking for prayers for the dead, which were universal during medieval times, become exceptional, although they are more numerous than is generally believed. They are still, however, continued in such services as the commemoration of benefactors in many colleges in the universities. The most notable post-Reformation instance is that of Bishop Isaac Barrow, just outside the west door of the cathedral at St. Asaph, dated 1680, and composed by himself: "O vos transeuntes in domum Domini, domum orationis, orate pro conservo vestro, ut inveniatur misericordiam in die Domini." "O ye, who pass by into the Lord's house, the house of prayer, pray for your fellow-servant, that he may find mercy in the day of the Lord."

It is suggestive of the period at which the Catterick inscription was erected, three years after the date of the Armada, that the prayer should have been added in a different hand to the rest of the text and placed in a corner. The mention of St. Pantaleon,<sup>1</sup> a saint not much known out of Italy, points to a close connection with Rome and probable intercourse with seminary priests. The North Riding Records do not go back to Elizabeth's time, but as we find Mrs. Anthony Catterick's daughter, Grace Lambert, presented as a recusant in 1616,<sup>2</sup> another daughter, Dorothy Scroope, in 1614, when she was living at Calvis, in the parish of Thorton-le-Street, near Thirsk, her grandson, Thomas Meynell, and his wife, at the same date,<sup>3</sup> and her nephew, Anthony Catterick, and Joyce, his wife, in 1614 and 1616,<sup>4</sup> besides other members of her family, there can be little doubt as to her religious views.

<sup>1</sup> There seems to be an error in the inscription in making the 17th of July the day of St. Pantaleon. This saint appears in the York and Hereford Calendars on July 28, but not in the Sarum at all; in the Roman on July 27. Baring Gould says the Roman Martyrology, Greek Menæa, and Menology, place his feast on the 27th; Martyrologium Romanum and some copies of the Martyrdoms of St. Jerome, and also Ado and Notker, on the 28th; Hrabanus Maurus on April 23. "Acts" apocryphal, but it can scarcely be doubted that there

was a martyr named Pantaleon at Nicodemia (Nicomedia?) in Diocletian's persecution. A church, dedicated to him at Constantinople, was rebuilt by Justinian in 532. The York Breviary puts him off with only collects out of the Common of Martyrs, but there are some marvellous stories in Baring Gould about him and his relics. There are several bottles of his blood, which are said to liquefy. (J.T.F.)

<sup>2</sup> *North Riding Records*, ii. 150.

<sup>3</sup> *Ibid.*, p. 72.

<sup>4</sup> *Ibid.*, pp. 78, 150.

Other instances of inscriptions of a similar character are found in this county. Thus, at Adlingfleet, in the epitaph of Francis Haldanbi (1589), these lines occur:—

“Non petit hic avrv̄m, gemmas, avt mvnera magna.  
Mente pater noster tv recitato pia;  
Ave nec pigeat Maria te dicere pro me,  
Sic mihi, crede mihi, maxima dona dabis.”

“He seeks not here gold, gems, or great presents.  
Thou must recite a *pater noster* with pious mind;  
Nor must it weary thee to say an Ave Maria for me.  
Thus, believe me, shalt thou give me very great gifts.”

In the church at Dalby, in the North Riding, on the south wall of the nave is the following inscription:—

1675  
ALANVS ASCOVGH  
AR. ET ANNA VXOR OBIIT  
VTERQVE MENSE IAN. 1672  
ANNO CONIVGII 63 ÆTATIS  
VERO 85 QVORVM ANIMABVS  
PROPIETVR DEVS.<sup>1</sup>

In 1641 Allan Ascough, of Skewsby, gent.,<sup>2</sup> and Ann, his wife, were presented as recusants. His wife was a daughter of Thomas Brathwayt, of Burneshead, in Westmorland, and three of their daughters married into recusant families. His will,<sup>3</sup> an abstract of which follows, gives no definite information as to his religious belief.

Jan. 22, 1672. Allan Ascough of Scuesby, sick in body but in perfect remembrance. First, I give my soull unto God, my maker, and to my Lord Jesus Christ, my creator and my redeemer, and my body to be buried in the church of Dalby. To James Ascough, my sonne, and to his wife, either of them, 20s.; and to every of his children 20s. a peece. To my sonne, Thomas Ascough, and his wife, 20s. either of them, and to their children. To my daughter, Alice Barton, and to every one of her children, 20s. a peece. To my grand-child, Christopher Philipson, Esq., and his brothers, every one of them,

<sup>1</sup> A brass at Wraxall, Somerset, ends (1616), “Numerosam prolem genuit, quibus omnibus propitiatur Deus” (*Manual of English Ecclesiology* (1847), p. 256).

<sup>2</sup> *North Riding Records*, iv. 188. There is a pedigree of Ayscough, or Ascough, in Dugdale's *Visitation of Yorkshire*, p. 342.

<sup>3</sup> *Reg. Test.*, liii. 436.

20s. To John Heskett 5*li*. To George Hodgson 5*li*. Wife and son Francis executors. Witnesses, Christopher Wilson, Francis Hornsey. Proved Jan. 31, 1672, by the son.<sup>1</sup>

## APPENDIX.

The following entries on the Subsidy Rolls of Elizabeth and James I. relate to Stanwick and the Catterick family. For 1568 Anthony Kattericke, Esq., was rated for lands of the annual value of 13*li*. 6s. 8*d*. in Stanwycke, and in Aldburghe cum Carleton George Kattericke for lands of the value of 3*li*. 5s. 4*d*.; John Franklinge, 3*li*. 4s.; Robert Wyclyff, 40s.; and Anthony Slinger and Henry Slinger, 26s. 8*d*.; and Thomas Manfeild for goods worth 3*li*. 2s. 6*d*. In 1599, 1600, 1607 and 1610, Anthony Cattericke was paid to the subsidies on the same basis.<sup>2</sup>

<sup>1</sup>Sept. 5, 1677. Administration of the goods of William Ayscough, late of Osgoodby, par. Thirkleby, granted to

Anna Ayscough, of the city of York, the relict.

<sup>2</sup> See Ex. Lay Subsidies, 313, 313, 313, 313, 313.

## THE DISCIPLINE OF THE CHURCH.

By T. B. WHYTEHEAD.

I WONDER if those good people who conscientiously go through the Communion Service of the Church of England, understand what they say. I will quote the introduction to the service which is said by the officiating priest, in order that what I shall hereafter state may be clearly understood. It is as follows:—

“Brethren, in the Primitive Church there was a godly discipline, that, at the beginning of Lent, such persons as stood convicted of notorious sin were put to open penance, and punished in this world, that their souls might be saved in the day of the Lord; and that others, admonished by their example, might be the more afraid to offend.

Instead whereof (until the said discipline may be restored again, which is much to be wished), it is thought good, that at this time (in the presence of you all) should be read the general sentences of God’s cursing against impenitent sinners, gathered out of the seven and twentieth Chapter of Deuteronomy, and other places of Scripture; and that ye should answer to every sentence, *Amen*; To the intent that, being admonished of the great indignation of God against sinners, ye may the rather be moved to earnest and true repentance; and may walk more warily in these dangerous days; fleeing from such vices, for which ye affirm with your own mouths the curse of God to be due.”

And now let me give specimens of the “Discipline,” taken at random from the Archives of the Dean and Chapter of York, in order that it may be clearly understood what the word means.

A DECLARATION enjoined to be done by Bartholomew [*blank*] and Sarah his wife of the Parish of South Cave, in the Jurisdiction of the Dean & Chapter of York.

Dec. 17, 1730. They are to be present in the said Parish Church of South Cave upon Sunday, being the 20th or 27th of December instant, being in their accustomed apparel, where immediately before, or after Morning or Evening Prayer, they shall acknowledge and say after the Minister in the presence of the Church-Wardens as followeth:—

Whereas, We, good Neighbours, forgetting our Duties to Almighty God, have committed the Crime of FORNICATION together, before our Marriage; whereby We have offended Almighty

God, to the Danger of our own Souls, and evil Example of others ; We do here acknowledge that our said Fault, and hearty Sorrow for the Same, desiring Almighty GOD to forgive Us, both this, and all other our Sins and Offences ; And you here present to Pray with Us, and for Us, saying :—

Our Father, which art in Heaven, &c.

And the performance hereof they are to Certifie under the Hands of the Minister and Church-Wardens, at the Register's Office, in York, upon or before the 31st day of December instant next, coming together, with these presents. Thos. Jubb, Registrarius. This Declaration was made before us the 27th day of December, 1730. WITNESS our hand :—

Petr. Hickington, Vicar.

John Idell,

Wm. Wilkinson,

Church-Wardens.

6th Jany., 1731. PENANCE Enjoined to be done by Ralph [*blank*] of the Parish of Weighton within the jurisdiction of the Dean & Chapter of York, Gentleman. The said Ralph [*blank*] shall be present in the Parish Church of Londesborough, Weighton, afore-said, upon Sunday being the 16th, 23rd or 30th Day of January instant in the Time of Divine Service, between the hours of IX and XI of the clock in the Forenoon of the same day, in the presence of the whole congregation then assembled, being bare-head, barefoot, and bare-leg'd, having a White Sheet wraped about him from the Shoulders to the Feet, and a White Wand in his hand, where immediately after the Reading the Gospel, he shall stand upon some Form or Seat before the Pulpit, or place where the Minister readeth Prayers, and say after him as followeth :—Whereas, I, good People, forgetting my Duty to Almighty GOD, have committed the Detestable Sin of FORNICATION with Susannah [*blank*] of the Parish of Londesborough, and thereby have justly provoked the heavy wrath of God against me, to the great danger of my own Soul, and evil example of others ; I do earnestly repent, and am heartily sorry for the same, desiring Almighty God for the Merits of Jesus Christ, to forgive me both this, and all other my offences, and also ever hereafter so to assist me with his Holy Spirit that I never fall into the like offence again, and for that end and purpose, I desire you all here Present, to Pray with me, and for me, saying, Our Father, which art in Heaven, &c.

And the due performance hereof he is to Certifie under the Hands of the Minister and Church-Wardens at the Register's Office in York, upon or before the fourth day of February next ensuing, together with these presents. Thos. Jubb, Registrarius.

Extract.

A DECLARATION Enjoined to be done by ANNE [*blank*], Widow, of the Parish of St. Michael Belfrey within the jurisdiction of the Dean & Chapter of York. 3rd Sept., 1731. She is to be present in the Vestry of the Parish Church of St. Michael Belfrey aforesaid upon Saturday ye fourth of September, being in her accustomed apparel, where she shall acknowledge and say after the Minister in the presence of the Church-Wardens as followeth:—Whereas I, Good Neighbours, forgetting my duty to Almighty GOD have committed the Crime of FORNICATION with Richard [*blank*] whereby I have offended Almighty GOD to the danger of my own Soul and evil example of others; I do hereby acknowledge that my said fault and hearty sorrow for the same Desiring Almighty GOD to forgive me both this and all other my sins and offences, And you here present to pray with me and for me saying:—Our Father, &c. And of the performance hereof She is to Certifie under the hands of the said Minister and Church-Wardens at the Register's Office upon or before the 24th day of September instant together with these presents.

Concordat

ann

Decreto

Thos. Jubb,

Registrarius. 4th September, 1731.

This Declaration was then performed by the above Anne [*blank*], Widow, in the Vestry of the parish Church of St. Michael Belfrey, in the presence of us.

David Wood, Church-Wardens.  
Tho. James,

Joh. Frillow.

17th November, 1731.

PENNANCE Enjoined to be done by Elizabeth [*blank*] ye wife of William [*blank*] of the parish of Wadworth within the jurisdiction of the Dean and Chapter of York. The said Elizabeth [*blank*] shall upon Sunday being the 21st or 28th day of November instant, or ye 5th day of December next, repair unto the Parish Church of Wadworth aforesaid, where in the Church porch she shall stand penitentially Bare-head, Bare-foot, and Bare-legged, having a white Rod in her hand, covered with a White Sheet from the Shoulders to the Feet, from the ringing of the first peal or other warning to Morning Prayer, Asking and Entreating all such people as pass by her into the Church to pray to GOD to forgive her, where she shall stand until the Reading of the Second Lesson for Morning Prayer, at which time the Minister shall fetch her into the Church with the Psalm of Miserere Mei in English, and place her in the middle Alley apart from all other People, which being done, the said Elizabeth [*blank*] shall say and confess after the Minister as followeth:—Whereas, good people, I, forgetting my Duty to Almighty GOD have committed the detestable

Sin of ADULTERY with John [*blank*] and have thereby provoked the heavy wrath of GOD against me, to the great danger of my own Soul, and the evil example of others; I do earnestly repent, and am heartily sorry for the same, desiring Almighty GOD for the merits of Jesus Christ, to forgive me this, and all other my offences, and to assist me with his holy Spirit that I never fall into the like grievous Sin again, desiring you all here present, to take example by this my Punishment and to pray with me and for me saying:—Our Father, which art in Heaven, &c. And of the performance hereof she is to Certifie under the Hands of the Minister and Church-Wardens upon or before the Ninth day of December together with these Presents.

|                             |                |               |
|-----------------------------|----------------|---------------|
| Extracts of C. Clapham,     | Concordat      | Thos. Jubb,   |
| Wadsworth, Nov. 28th, 1731. | ann<br>Decreto | Registrarius. |

These are to Certifie that the Pennance above enjoined was performed by Elizabeth, the wife of William [*blank*], as therein enjoined on Sunday the 21st November, before me.

I do not know how it may present itself to other people, but to me it seems plain that a restoration of the "Discipline" would be most offensive, and by no means to the glory of God or the edification of congregations of Christian people. I suppose the more ancient discipline would be the rack and the faggot, but these comparatively modern performances would appear to have been highly immoral.

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## BURNESTON HOSPITAL AND FREE SCHOOL.

By H. B. McCALL.

THERE is in the parish chest of Burneston, in the North Riding, a small manuscript volume of the year 1681, entitled 'Rules and Orders to be observed in the Schoole and Hospital of Burneston,' which, by the kind permission of the vicar, the Rev. Canon Hartley, I propose to print in a somewhat condensed or abbreviated form. Before perusing these rules, however, let us glance for a moment at the hospital itself, and at what is known of the personal history of its founder. The almshouses are located in a long building, two storeys in height, near the church of St. Lambert, of Burneston. The principal front, facing south, has a range of five two-light mullioned windows in each storey. The wall below the lower windows is of rubble stone, on a foundation of large unhewn stones, collected off the land. A chamfered stone plinth is carried just under the sills; above this the walls are of brick. The jambs and lintels of the doorways and the quoins at the angles are in white stone, but the jambs and mullions of the windows are wrought in brick. The windows lighting the lower storey are enriched with moulded brick labels surmounted with pediments, alternately semi-circular and straight, there being three of the former and two of the latter form. The two doorways have deep moulded heads and moulded jambs stopped above the thresholds. Over each doorway is a stone panel in a moulded brick border, one of which tells us by whom the building was founded.

*Aedes has*

*Matthæus Robinson M.A. Vic. de Burneston*

*extruxit, dotabit, dicabitque Deo A.D. 1680*

*Gerontocomium Christiani est Gazophylacium Christi*

On the other panel the arms of Robinson appear—On a chevron between 3 stags trippant, as many trefoils slipped, a crescent for difference—and the motto, "Video, timeo, fugio." Other inscriptions upon the lintels and on various parts of the building are:

*A & Ω Discite ex me. Mat. xi-29—1680.*

*Benedictio perituri super me—Job 29-13*

*Tua tibi tribuimus Domine—I Chron. 29: 14*

Over these panels and in the upper range of windows are small oval lights. The upper windows have their heads hard under the eaves. There are three chimney stacks. That on the east gable wall projects boldly from the wall face right from the ground, and is flanked by four small round lights similar to those over the doorways, but somewhat differently treated. The gables are finished with a dressed stone water-tabling, which springs from overhanging moulded corbels crowned by short finials with ball terminations. The roof is now of Welsh slate, but was no doubt originally of grey stone slates or red pantiles. The whole building, though simple, is of pleasing proportions and appearance, and is not devoid of some degree of architectural elegance.

The surname of Robinson is of frequent occurrence in the Burneston parish registers ever since the year 1567 and until quite recent times. The founder, however, was a son of Thomas Robinson of Rokeby, near Barnard Castle, and was baptized there 14 December, 1628. His father, having engaged with Fairfax, lost his life at a very early period of the Civil War, and was buried at Leeds 29 June, 1643. Matthew was sent to Edinburgh University, where he spent two years, but on the plague breaking out in that city in 1645, he proceeded to complete his academic career at Cambridge, which he reached not without an exciting chase by the Royalist troops at Newark. There is in the Library of St. John's College, Cambridge, a MS. volume containing an autobiography of Matthew Robinson, partly in his own handwriting and partly in that of his great-nephew, Zachary Grey; but as this has been already printed, under the general title of *Cambridge in the Seventeenth Century*, 1856, we shall here only notice that Mr. Robinson studied law, divinity, anatomy, etc., and qualified in medicine. In the year 1651 he took orders, and was presented to Burneston, although he still continued to practise as a physician. He was now a Fellow of St. John's, and he is quite entitled to be classed as one of the Cambridge worthies. He resigned the benefice of Burneston in 1691, in favour of his nephew, George Grey, and retired to Ripley. Dr. Robinson married, 12 October, 1657, Jane, daughter of Mark Pickering of Ackworth, in the West Riding, whose great-grandfather was Archbishop Toby Matthew,<sup>1</sup> and dying childless at Ripley, 27 November, 1694, his body was buried three days later at Burneston. His principal works are *Cassander Reformatus* and *A Treatise of Faith, by a Dying Divine*. He also gave some church plate to Burneston, where a paten, still in use, bears the inscription—

**Ex dono Mat. Robinson A.M. hic. de Burneston 1677**

<sup>1</sup> Thoresby's *Ducatus Leodiensis*, p. 212.

The volume already referred to commences with a 'Preface to the rules concerning the Founder's mind':—

Considering that the duty incumbent upon all, especially the children of Wisdom in the judgment of Salomon the Wise, to honour the Lord with their substance is highly important, and that where much is given much equally may be required, and forasmuch as the scanty goodness of such creatures cannot reach to heaven or extend to our Creator but by those intermediate offices of piety and charity towards those our fellow-creatures, especially the poor, pious and excellent whom God has signallised as his substitutes—and my bounden duty towards my dear Master and so bountiful Lord who, though unworthy to be an under-steward in his house hath heaped upon me wealth and wages as much surpassing my work and deserts as my very desires and expectation—and lastly the solicitous affection I bear unto my sheep, the people whom the great Shepherd of Souls gave me in charge—these all have ripened into a solemn resolution of doing something that might be acceptable to my God and to my people. And that I might not offer unto the Lord that which cost me nothing I thought of building him an house, a poor Alms-house for his poor, which is *Christi Oazophylacium*, and of casting my mites into that his treasury, etc. As for my people of Burneston they were as the wife of my youth, and equally might have expected from me at my death something as it were in right of dowry, and not knowing but that soon I may put off my earthly tabernacle of this body, or that sooner in such tempestuous times as threaten us, I may be deprived of all and what I ought to prize as more precious than all my Ministry, etc. Neither would I leave an ill-savour of vain glory and ostentation behind me, as if wanting children to bear up my name I would perpetuate it to late posterity by engraving the same in these more lasting monuments of stone, for the fabric being drawn in little, is disproportioned unto a design so great. And the thing being a private school in the country rather than an Hall or College in the University where the lips of the learned do celebrate the memorials of their benefactors in anniversary solemnities, may consequently secure me from the censure and imputation of such vanity. Let thy name, O Lord, endure to all generations and ever be remembered, though my name be forgotten for ever and my place know me no more. Write thou my name, O Lord, but in the Book of Life, and let others write it if they please in the dust. And because no human society, though never so small, can be long preserved pure or peaceable without order, I have thought fit for the better regulation of their conduct who are to be concerned in the

school or hospital to give rules and instructions relating to the same, not presuming to call them by the lordly title of statutes which are vouched by no other authority than the royal law of charity, and forasmuch as pious intentions of this nature have in all times been piteous prophaned and perverted to uses far distant from the designs of their respective donors notwithstanding that *noli me tangere* of a solemn execration against the irreligious who should after dare either to violate the sacred will of the dead, or sacrilegiously invade the rights of the everlasting God in things dedicated and devoted to him, I shall therefore forbear the fainter charm of an Anathema against such, but shall hereby declare that this my donation or endowment of both school and hospital is only granted and made with this condition and restriction, namely, that these my Rules and Orders following (especially all those relating to the profession of the true protestant religion in particular) be duly kept and observed by all concerned therein. If therefore it shall so happen that by the iniquity of the times, the reformed protestant religion (which yet is part of the Law and glory of this Land) shall hereafter be subverted (which God forbid) and that the glory shall depart from this land so that these rules can no longer be observed or permitted but that my charitable intention shall be interverted to superstition, so that Roman Catholics (as they are called) must be preferred to those places in the school or hospital which were projected to be a nursery of true protestants only, then I peremptorily will that the entire fabric shall revert and fully return to the use of the proper Lord and owner of the soil; and I further will that any lands on which I shall charge the yearly revenue or maintenance for the same shall forever be discharged from such payments and that the benefit thereof shall redound unto my executors only and to their heirs and assigns for ever.

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CHAPTER I.—Of the number of persons to be maintained yearly in the hospital: It is appointed by the founder that there shall be one Master fit to teach the Grammar School, and six Alms people more, to be chosen out of the most poor, impotent and innocent people of the parish, as after shall be directed. Of these six Alms people, let two of them be women (or three if more convenient) the better to assist their brethren when sick or weak, and to wash their linen for them and to sweep and clean the stairs, school house and school chamber and to kindle fires in both when convenient, and to make the schoolmaster's bed, which things they are to do by their weekly turns when they are not by sickness hindered. But let the rest of the Alms people be men and aged men, three or four as the

feoffees shall think fit. Let one of these Alms-men be deputed to teach the petty school of children till they can read perfectly and be fit to be translated into the Grammar School, and let one be ever chosen into that place who is fit for that employment.

There are twenty-one chapters in all, relating to the feoffees and the master and their duties, etc., which may be briefly summarised.

II.—A yearly rent charge of £43 5s. to be provided and applied as follows: Master of the Grammar School (besides other advantages) £16; Alms master of the petty school £5 8s.; the other five Alms people £3 12s. each per annum and 5s. each additional to buy them coals. For 6 purple gowns yearly £2 5s.; for the rent of house and garden to the Lord of the Manor 1s.; and for a yearly feast, to feast their brethren the Hospitallers of Firby 6s.

III.—The Feoffees or trustees are the Founder for life or at least so long as he shall reside in Burneston. After that, his beloved nephew George Grey, clerk, Rector of Lawton, Cheshire, if he shall succeed to the Vicarage of Burneston and for so long as he shall be resident. The standing Trustees are the following persons and their heirs for ever, so long as resident in the parish: Thomas Harrison of Allerthorpe the elder, esquire, Thomas Harrison of Grays Inn the younger, esquire, the Vicar of Burneston for the time being, Richard Willey of Burneston, gent., Richard Firby of Carthorpe, gent., John Tanfeild of Carthorpe, yeoman, John Warcoppe of Gatenby, gent., John Burnett of Theakston, yeoman, Richard Sadler of Exilby, now a minor, Leonard Fothergill of Leeming Street, yeoman; and John Danby of Carthorpe and William Hunton of Theakston, the two last during their lives only. Vacancies are to be filled by the surviving trustees, and in such election Harrison of Allerthorpe who is lord of the soil and the Vicar of Burneston are to have double votes.

IV.—The Trustees to meet in the Church every Christmas after evening service to choose a treasurer from their number, pass accounts and transact business generally.

V.—The schoolmaster to be paid £4 every quarter; and the Alms-master, 9s. with 6s. for each of the other Alms people on the first Sabbath or Lord's day of every Almanac month.

VI.—The choice of the Master and Alms people rests with the Founder for life, then with Rev. George Grey as above, and afterwards with the Feoffees, the Vicar of Burneston and the Chiefe of Allerthorp that shall be lord of the Soyle having double votes.

VII.—Forasmuch as the school is designed for a nursery of learning and piety also, and that Christ's cross is the beginning of all

learning, and Christ crucified the  $\alpha$  and  $\omega$  of all knowledge, the Master of the School must play the usher to fit and season youth for the school of Christ that they may be his disciples, and the Master is to have a kind of pastoral charge over that little flock of his. He must therefore not be a man of common parts and conversation but singularly hopeful, a graduate in the University, competent in Greek and Latin for the instructing of youth, in which let him be examined by the Vicar of Burneston, the Minister of Kirklington and the Parson of Bedale. To be learned in divinity, sound in the faith, orthodox in judgment, no papist nor popishly affected person lest others be infected by him. To be sober, pious, industrious, serious, etc., and I solemnly require it of all those I have instructed herein as they will answer for it at the last day that no raw youth be admitted nor one that hath been wild or bebauched, or was ever known to be drunk or noted for a company keeper, etc. The same to be a single man unmarried and without children lest he bring a charge upon the parish, and if ever he marry let him quit his place and his salary cease.

VIII.—Master to receive in addition to his salary 2s. 6d. from each scholar at entry; and at Whitsuntide yearly a horse load of coals or else one shilling from every scholar.

IX.—Master to keep a register; also let him lay constantly in the school chamber at nights that he be not seduced by ill company abroad, neither let him make his chamber the rendez-vous of idle persons.

X.—Let him teach Lilly's Latin Grammar and Cambden's Greek Grammar, not posting on his boys beyond their abilities, but grounding them carefully, etc., from 6-30 a.m. to 5-30 p.m. in summer, and in winter from 7-30 to 4-30. No other holidays than ten days before Christmas and 5 days before Easter and Whitsuntide. Prayers at the commencement and close of school hours daily, and a chapter from the New Testament read by one of the boys. Each scholar to get the Church Catechism and the Lesser Assembly's Catechism by heart. Scholars also to attend church each Lord's day forenoon and afternoon, and at all other solemn times of worship, and to sit in the choir for better observation. Any prophaning the Lord's day by public sports, or heard to tell a lie or swear an oath or curse to be corrected or discharged from the school.

XI.—Master to pay the Alms-people duly, to visit any who are sick, giving them ghostly counsel and comfort and to rebuke the disorderly and uncharitable. Let him see that the Alms-people constantly and unanimously repair to the public worship every Lord's

day and at other solemn times, and also let him call them to the school chamber (by the sound of an hand bell) every Lord's day when public worship is over and spend an hour with them in repeating the sermon heard, expounding the Scriptures, or in reading some part of the *Whole Duty of Man* or such like practical treatise in Divinity.

XII.—No scholar to throw any stone whereby to break any of the glass windows neither let any presume with his knife or otherwise to cut any of the stalls or seats or set his name upon them, but let him be punished who shall be found so doing. To prevent all disorders that are incident to schools by barring out of the Master, it is ordered that there shall be no barrings out at all at any time of the year, but in lieu thereof 20 days before Christmas the scholars may offer to the Master and propose their orders, not demanding above 10 days' cessation from school before Christmas and 5 days before Easter and Whitsuntide, and the Master is to accept and allow them. But if any shall presume to bar out the Master and shut the doors of him let the Master send for the parents of all those that are found in that rebellion and mutiny who are to command their children to desist and to see them corrected, but if the said children shall refuse to surrender or cease from disorder, or if the parents shall neglect to correct them for their offence, all such children shall be removed from the school, the Master being discharged from teaching all such disorderly and incorrigible persons.

XIII.—The Alms-master to be competent to teach the little children of the parish to read English distinctly. Let him not be popishly affected, nor permit his 'punys' to lie, swear, curse, steal, or profane the Sabbath. His salary is £5 8s. per ann. to be paid monthly on the first Lord's day of every almanac month, with 12d. from each scholar at entrance and 12d. more or a load of coals yearly. Let him on all church days march in his habit at the head of all the rest of his Alms-brethren and listers unto the place of public worship.

XIV.—Alms-people to be chosen from all the quarters of the parish of Burneston, not by favour but desert, as their poor condition and more pious inclination shall merit christian consideration and pity. None under 60 years of age, nor possessed of £5, nor with 20s. yearly income, nor with relatives able to support them. Only

single and widowed persons, and no children can be permitted to reside in the Hospital. None of evil fame but such as are 'piously given' and of the protestant religion; and only such as can repeat the Creed, the Lord's prayer and the ten Commandments. Such as are lame, blind or infirm may be chosen under 60, but not under 50, though never so infirm. The charity is for the whole parish and the various quarters of it are not to compete. Everyone chosen must make this engagement. I, A. B., do solemnly promise that I will observe and keep all and singular those rules and orders which shall concern me in my respective place to the utmost of my power.

XV.—Alms-people duly to repair to church to attend the ordinances of God, all of them in their purple gowns, and to have one seat in the church allotted to them that their absence may be better taken notice of. Alms-women to attend their brethren and sisters in sickness, and to wash linen and kindle the school fire weekly by turns, make the Master's bed, etc. None are to beg by which practice they do rob such as are poorer than themselves; nor to lodge another in their chamber, except in case of sickness. "And for as much as the Chiefe of the family of the Harrisons att Allerthorpe is their Land Lord and as it were their second founder, as a token of their gratefull observance, lett them ever shew a Signall respect and reverance to all of that family, and lett them express it by seing their pew or seat in the church swept cleane every weeke by themselves in turns, and strawed with sweet smelling fflowers and herbs in their seasons, and lett them in their prayers remember them—and their ffounder alsoe whilst he is living."

XVI.—A sufficient quantity of purple shaç is provided that each may make his own gown or coat every Christmas, and a silver cognizance will be set upon the back of every said gown or vestment. Let them never be seen abroad, especially out of the parish, but in this their livery or habit, lest they learn the trade of begging.

XVII.—Misdemeanours on the part of any to be met by admonition, and for a third offence expulsion.

XVIII.—For the maintenance of the fabric which has been newly erected from the ground—every scholar on admission shall pay 2s. 6d. (in addition to the Master's fee) to a common stock to meet dilapidations to the building—'forasmuch as time consumeth all



things.' And if it please God that this stock by such means and other helps shall considerably increase<sup>1</sup> (as who hath despised the day of small things) the Vicar and feoffees may enlarge the hospital at pleasure, adding more rooms, etc.

XIX.—Every one is to keep his or her chamber clean and neat, and the Master is to look into each on Saturday afternoons to see that this is done.

XX.—The garden and draw well are for the use of all—let all unite in keeping it clean, each having his own fruit tree with plat of ground about it, sowing it with pot herbs, roots and flowers as he shall see fit.

XXI.—Once every year, upon Saint Matthew's day in September, let there be a feast to which the poor Hospitallers of Firby shall be invited. Six shillings shall be allowed by the treasurer to buy them two or three dishes of meat, and what more at their own charges or at the charges of other persons who may please to add to their collation; but no excess of strong drink which may steal upon the aged, and nothing superstitious is intended thereby but rather thankfulness. Let them all together advance by two and two walking to the church and there attend Divine Service. And after repast, repeat the solemn thanksgiving and read the 8th chapter of Deuteronomy. Then let them innocently divertise themselves and at convenient time part, setting their guests and brethren to the town's end, and bidding them farewell, so return to their places.

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THE POST-SCRIPT OR THE FOUNDER'S  
ADDRESS TO ALL THOSE THE VICARS OF BURNESTON

Whom the providence of God shall appoint  
to succeed him there.

Reverend Sirs—'Tis at a great distance I am constrained to speake to you and bespeake your tender care in watering of that which hath been my care in planting, and though I may be in the dust when these lines doe reach your eyes, yett lett not my words be buried with me, that I (poore I) offering up to God this my

<sup>1</sup> A small increase was made at the commencement of the nineteenth century, when an estate of 12 acres and 3 roods of land at Carthorpe was purchased with money arising from gifts and legacies and the voluntary contributions of the inhabi-

tants—but no extension of the building has been made. Until the recent legislation, £16 of the schoolmaster's salary was always paid by the trustees of this foundation.

small Eucharisticall sacrifice from an humble and devoted heart with the righteous Abel, by it, I myselfe being dead may seeme yett to speak. It may be good encouragement to you whom God shall appointe to succeed me in this place for the good of this people, that some foundation of sincere religion hath been laid by the preaching of the Gospel, att once both poore and powerfull, and that another material foundation is layd also, as a Nursery of piety and charity (viz.) for the instruction of the young and sustentation of the old. Some rules and orders I have prescribed for the preservation of that small society in purity and peace, pursuant to those ends att which I designed.

Now, since the good wills of the dieing by all good men living ought to be held as sacred, I most humbly but passionately and earnestly desire and beseech of you that you will see these my instructions (especially those that relate to the protestant religion, the sincerer knowledge and purer worship of God) faithfully put in execution by all those that are to be concerned in them. And since you I make my trustees herein, and you only (soe far as is the power of a private person) the alone visitors of this my schoole and hospital, and guardians for the orphant whose father is in heaven, to see all things ordered aright according to the true intention of the testatour, and for the better promition of Christian profession and piety—you I must charme and adjure by whatever is or ought to be to you dear and sacred, and as you will answer at the last day for your neglect herein, not to myselfe but to God the judge of all, that you will dilligently watch over this my little fflock as well as the greater committed to your charge by the great Sheephherd of Souls. If you love the Lord ffeed his Sheep and take care of the Lambs too, and the weak of the flock—those crazed creatures that belong to the ffold. And what was the last desire of our dear Lord and common Master is now the last request of an unworthy Servant of that Lord and—Your fellow servant in the Lord, Matth: Robinson (when Vicar of Burnestone).

There follow forms of prayer which are directed to be used at the opening and closing of school, after a chapter read from the Gospels. Also private prayers for the Alms-people when they rise from and lay downe to rest; and two long Graces to be said by the Alms-master at the annual feast or collation—one before and one after meat.

Mr. Robinson's apprehension lest the Roman Catholic religion should gain ascendancy in England (which did in fact happen a few years later) is very apparent all through his Book of Regulations; but his care lest his flock should adopt practices opposed to the Protestant profession is perhaps nowhere more manifest than in 'An Advertisement to the Master' which he leaves:—

For that clause in the Evening prayer of the Alms-people, the founder desires the Master to take care that it be used no longer than he liveth with any reference to himself, except they intend living benefactors. But rather after his death change it into this. O Lord, we bless thee that thou in thy grace hast raised up those in their generations who have been instruments under thee of making provision for the poor and desolate. Grant, Lord, that we and others may by their devout examples press forward to that prize which they have laid hold of, and, with those departed in the faith, may have our perfect and consummate bliss in thy everlasting kingdom.

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A PAPER PRESERVED IN THE  
GRAMMAR SCHOOL CHEST AT GUISBOROUGH.

TRANSCRIBED BY REV. J. F. WILLIAMS.

The articcles to be inquired of by the Justic' apoited in north-  
alverton the ij of Jeari, '93 [1593].

ffirste. Imprimis to visit all Colledgs hospitalls almeshouses &  
other houses & places whatsoever ordeyned or appointed for Releefe  
of the poore in y<sup>e</sup> partes of northridinge in the cuntie of York aswell  
within lybbertyes as w<sup>th</sup>out & to inquire seerch & fynd owte aswell  
by examinatio<sup>n</sup> of witnesses as by all other good & lawfull meanes  
whatsoever where everye of them standithe & by what speciall naines  
the same are comanlye called or knowen & of what Condition &  
qualletye the Rulers maisters or governors weer appo<sup>n</sup>ted to be &  
howe manye of them be of the ereccion & fondation of anye of the  
kings or quenes of England & in what tyme & by w<sup>ch</sup> of the same  
kings or quenes everye of them were erected or endued & howe  
many of them be of the ffoundation or endowment of anye of the  
subiects of this Realme & by what psons & in what tymes the  
saime were fonded or indowed & by what naime of foundation  
or incorporation & yf ther hathe bene anye change ffro the ffirste  
fondation to inquire how the same hathe bene changed & by what  
athorytye.

2. I' of what sexe order & Condicion the poore of everye suche  
Colledge hospitall almeshouses or other houses & places were ordeyned  
or appo<sup>n</sup>tid to be as men or women sicke or wholl leprus or way-  
fayringe & soch other.

3. I' what other lands tenements Rents Revenewes somes of monye  
lesses goods or Chattells dyet pvisyon or other maintenance haithe  
bene ordeaned given assigned or ap<sup>o</sup>ted for the maintenance or  
Releeff of the said poore & everie of them or for anye other good  
or charretable uses or for mendinge of bridgs or highe wayes or  
exhebitions for scollers or soche like in everye of the said howses  
& places & unto what yeerlye vallew over all charge & who haithe  
taken the Revenewes & pfits therof for thes ten yeeres now laste  
paste & by what auctorathye Reighte or meanes & how moche therof

haithe duringe the said yeeres bene Employed upon the said poore & in what sorte & by whose hands ether yerelye weeklye or otherwyes & in what pson or psons dothe the saide proptye possession occupation & use of the said lands tenements Rents leses goods & chattells appōnted for the poore & other Charetable uses as a for said now Remaines.

4. I' of whose gyfte admittance or plaseinge the said poore psons be or owght to be in evere of the said Colledgs hospitalls almes howses & other howses & places & by what willes & ordinances they be or owght to be chosen plased & governed or to be Removed or corrected.

5. I' What be the prop naimes ages saxes & severall condicions of all the poore psons at this day kepte mainteined or relevid in or by the said colledgs hospitalls almes howses & other howses & places & whether everye of the said poore be Contenuallye Residinge there & for what tyme & what allowanc they have duringe there abscens & whether anye of them have anye allowance in anye other colledge hospitall or howse pydyed for the poore & what the same allowans is or whether they have anye Reversion of anye almese Rome in anye other place.

6. I' besyds suche as are in possession of anye almese Rome to inqueer what grants be maid by hir maiestye where she is founder or patron to anye psons to have as y<sup>e</sup> Rome in Revercion of the present poss . . . . .

7. I' what specyall visiters or vyseter have bene ordaned or apōnted of & for the saime Colledgs hospitalls almes howses & other howses & places & when & howe often the saime have bene visited within thees tenn yeres laste paste & what Reformation or correction haithe inseeded there upon.

8. I' what ffees pencions or paments have bene yerlye gyvin paid or allowed to anye offycers or other psons other then to the said poor owte of the possessiō Revenewes or profitts of the said Colledges hospitalls almeshouses & other howses & places pydyed for the poore duringe tenne yeeres nōw last paste & to whome & for what Cawse or Respecte.

9. I' what portions or somes of monye have bene assigned lymited or apōnted by the laite kynge Henrye the eighte edwerd the sext Quene marye or the quenes maiestye that now is upon the fondation or endowments of anye Colledges or Cathedrall church to be paid

gevin or distrubuted in almes or other wyes to or for the maintenante or Releefe of anye poore p'sons or for Repaire of bridge or highe wayes or for exhebetions to scollers in anye of the tow unyeverseties or in anye other scoles by anye deanes & chapters of anye Cathedrall churches or by anye other ecclesiasticall Corporations or p'sons & how & to howe manye & to whome have thes sam bene distrubuted & Employed for tenn yeares now laste paste & what specyall officer or p'sone hathe had the over seighte dispoſcion or charge therof frome tyme to tyme.

10. I' what other lands tenements benevolents Revenewes pensions stipinds goods Chattells or somes of monye have bene gyven assignd lymitted or appoñtid to or for the maintenance or Releefe of anye poore people or anye other godlye & charetable uses in everye or anye hundrethe towne pishe or plaic within the said pairtes of north ridinge for what tymes are the saime to conteneu what p'sons or lands are or owghte to be Charged or chargeable w<sup>th</sup> the saime & whether hath the same accordnglye disposed or gyven & by whome yf in whose defalte by whome & for howe longe tyme have the beene withholden or omitted & what p'son or p'sons have takin the proffitts of the same duringe thes tenn yeeres now last paste.

11. I' who nowe have or within thes tenn yeres laste paste have hadd the Custodye or possessyon of anye charters deeds evidences or writtings conserninge the ereccion foundation or donation of the said colledgs hospitalls almeshouses & other howses & places for poore & for there lands to the use of these poore or conserninge anye gyfte or grante what soever heere to fore maid to or for the maintenance or Releef of anye suche poore people within the said pties of north ridinge or for the order good governmente or drection of the said poore p'sons or of the said howses places or of there Revenewes & possessyons.

12. I' to inqueer seerche & fynd owte all suche other matters & things what so ever as yo<sup>w</sup> or any there or more if yo<sup>w</sup> shall in yo<sup>r</sup> wisdoms & discretions thinke Requisite & conveneent to be inquired or seerchid concerninge the premeses or anye pte therof.

[Answers to the questions.]

The Copy of the p'sentmēt to the Jurye of northalverin for the ospytall of Kyrkby of the hill.

The arteccles 11.

To the ffirste we sey y<sup>t</sup> y<sup>e</sup> m<sup>rs</sup> & governors of o<sup>r</sup> ospitall wer apōntid & ffounded by Joĥn Dakin docter of lawe by a chertier granted ffrō Kyng phillip & quene marye in y<sup>e</sup> third yeer of there Reignes & willid yt shold be called y<sup>e</sup> hospitall of St John babtiste within the pishe of Kyrkbye Ravinswerthe.

2. To the second we sey y<sup>t</sup> we have fyve poore people borne within y<sup>e</sup> said pishe of the aige of 70 yeeres or ther abowts siclye & impotent accordinge to y<sup>e</sup> statuts sett downe by y<sup>e</sup> said Joĥn Dakin, gyvinge also yerelye besyds as o<sup>r</sup> statuts apōnts certaine monye to the Reste of y<sup>e</sup> poore folk within y<sup>e</sup> said pishe.

3. To the third we sey y<sup>t</sup> o<sup>r</sup> lands dothe amonte to y<sup>e</sup> yerlye vellow of 33li. 11s. wherof the scolm' haithe 12li. yerlye the usher 3li. 6s. 6d. fyve poore people every one 12<sup>d</sup> in y<sup>e</sup> week w<sup>ch</sup> amontithe to 13<sup>li</sup> yerlye the werdines 40s. y<sup>e</sup> steward 20s. bestowed of other poore of the pishe yerlye 20s. allowid eche yeer for the Repations of the howse 30s.

4. To the fowrth we sey y<sup>t</sup> y<sup>e</sup> werdins & scolm<sup>r</sup> do electe & chuse y<sup>e</sup> said poore ffolk so ofte as there places are voyed within 14 dayes next after anye soche plaice is voyed accordinge to the statuts.

5. To the fyfte we sey we have fyve poore folke y<sup>t</sup> is to sey withm adison of the aige of 80 yeres or ther aboots & almost blind m<sup>r</sup>gerit myles of y<sup>e</sup> aige of 80 yeres Sythe makerasse of y<sup>e</sup> aige of 60 yeres & deaff Elizabethe watter of y<sup>e</sup> aige of 60 yeeres ann potter of y<sup>e</sup> aige of 26 yeres lame of ffote & hand, & y<sup>t</sup> they do contenuallye Remaine within y<sup>e</sup> said ospitall nether do nor may go at anye tyme owt of y<sup>e</sup> said pishe to aske anye thinge but eyre Relevid onlye by y<sup>e</sup> said hospitall, & the do Resorte to y<sup>e</sup> church everye day one ower the Reste of the day to use other bussynesse.

6. To the sexte we sey we have no soche.

7. To the sevinth we sey y<sup>e</sup> werdines evere tene yeres by vertue of y<sup>e</sup> othe do se all things Reformed abowte y<sup>e</sup> said howsse & y<sup>t</sup> before y<sup>e</sup> steward & y<sup>e</sup> holl pishe.

8. To the 8 we sey that Robt. Ponsonbye & Robt. atkinson werdins about 26 yeres paste Solde Staine lands belonginge to y<sup>e</sup> scollhouse for the Redeinge of other lands eschetid to y<sup>e</sup> quenes maiesty. that is to sey to halff of the tythe of Cowtorne of the yerelye Rent of 50 shillings. Sold to m<sup>r</sup> seyor of worsell 5 a lands

beinge in pikeringe lythe sowld one howse in york to one John Cowp in ye tenner of one gregorie peacocke of the yerlye Rent of 20s. 8d. all w<sup>ch</sup> lands is in the saverall occupaton of other at ys day.

9. To the neinthe we sey we have no soche.

10. To y<sup>e</sup> tenthe wey sey we have no soche.

11. To y<sup>e</sup> levinthe we sey y<sup>t</sup> the werdines & scolm<sup>r</sup> have all the said Charters & writtings in a chist locked withe three locks.

Lambert dawson scolm<sup>r</sup>  
Jaimes lenfeld } werdins.  
xpofer pinkney }

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[Written in the handwriting of Dawson throughout, on a paper 8 in. by 12 in., of two folios. The questions are on the back and front of the first folio, and the answers, upside down with regard to the last, are on the back of the second folio.]

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# NAMES OF YORKSHIRE EX-RELIGIOUS, 1573; THEIR PENSIONS AND SUBSIDIES TO THE QUEEN THEREON.

By T. M. FALLOW, F.S.A.

THE following list is taken from the original in the Record Office.<sup>1</sup> It is of interest as supplying a list of those members of the religious houses in Yorkshire who had survived till 1573, as well as the chantry priests and other clergy whose offices had been abolished at the Reformation. I have endeavoured to identify as many of the persons named as I could, but in a few instances I have failed in this. The identifications are added within brackets, otherwise the list is printed verbatim. It will, I think, be read with interest.

It was a particularly mean act to have taxed these poor people in this manner on the pittances which had been granted them when they were ejected from their homes and turned adrift on the world, more especially as many of them must have reached extreme old age and feebleness of body at the time.

Ebor'.

Subsidia Personarum Religiosarum in comitatu predicto domine Regine debita et soluta primo Octobris 1573 anno regni sui xv<sup>to</sup> viz. pro iij<sup>cia</sup> solucione ejusdem subsidii juxta ratam ij<sup>s</sup> de libra pro idem tempus ut inferius.

|                          |   |   |  |
|--------------------------|---|---|--|
| Isabell Lyon             | ...c <sup>s</sup>                           | — | x <sup>s</sup> [prioress of Keldholme] |
| Agnes Beckwithe          | ...vj <sup>li</sup> xiijs iiij <sup>d</sup> | — | xij <sup>s</sup> [prioress of Thikhed] |
| John Doddesworth         | ...vj <sup>li</sup>                         | — | xij <sup>s</sup>                       |
| Henrie Wilson            | ...c <sup>s</sup>                           | — | x <sup>s</sup>                         |
| Will <sup>m</sup> Carter | ...c <sup>s</sup>                           | — | x <sup>s</sup> [monk of Roche]         |
| Will <sup>m</sup> Wicke  | ...lxvj <sup>s</sup> viij <sup>d</sup>      | — | vj <sup>s</sup>                        |
| Rob'te Kyrkbie           | ...vj <sup>li</sup>                         | — | xij <sup>s</sup>                       |
| X'pofer Leedes           | ...vj <sup>li</sup> xiijs iiij <sup>d</sup> | — | xij <sup>s</sup> [canon of Bolton]     |
| Thomas Castleye          | ...vj <sup>li</sup> xiijs iiij <sup>d</sup> | — | xij <sup>s</sup> [canon of Bolton]     |
| John Gromock             | ...cvj <sup>s</sup> viij <sup>d</sup>       | — | x <sup>s</sup> [canon of Bolton]       |
| Thomas Greason           | ...iiij <sup>li</sup>                       | — | viijs [canon of Newburgh]              |
| Will <sup>m</sup> Graye  | ...iiij <sup>li</sup>                       | — | viijs [canon of Newburgh]              |
| Rob'te Beynton           | ...x <sup>li</sup>                          | — | xx <sup>s</sup> [monk of Byland]       |
| Rob'te Wilkenson         | ...c <sup>s</sup>                           | — | x <sup>s</sup> [monk of Byland]        |

<sup>1</sup> Subsidies 345.

|                                |   |                    |  |
|--------------------------------|---|--------------------|--|
| Henrie Cawton                  | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [monk of Rievaulx]                        |
| John Altam                     | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of Rievaulx]                          |
| Mathewe Ampleford              | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of Rievaulx]                          |
| Antho. Watson                  | ...cvj <sup>s</sup> viij <sup>d</sup>                       | —                  | x <sup>s</sup> [canon of Kirkham]                          |
| Will'm Bisert                  | ...iiij <sup>li</sup>                                       | —                  | viiij <sup>s</sup> [canon of St. Andrew,<br>York]          |
| Thomas Shewte                  | ...vj <sup>li</sup> vj <sup>s</sup> viij <sup>d</sup>       | —                  | xij <sup>s</sup> [canon of Nostell]                        |
| Adam Wilkenson                 | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [canon of Nostell]                        |
| Thomas Ellison                 | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [canon of Nostell]                          |
| X'pofer Saunders               | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [canon of Nostell]                          |
| Stephen Hemsworth              | ...vj <sup>li</sup> xiiij <sup>s</sup> iiij <sup>d</sup>    | —                  | xij <sup>s</sup> [Pontefract]                              |
| Edward Sandall                 | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [monk of Kirkstall]                       |
| John Snewe <sup>1</sup>        | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of Kirkstall]                         |
| Thomas Mooke <sup>2</sup>      | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of Kirkstall]                         |
| Thomas Marshe                  | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [monk of St. Mary's, York]                |
| Will'm Tomson                  | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [monk of St. Mary's, York]                |
| Roger Tomlinson                | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [monk of St. Mary's, York]                |
| Rob'te Deane                   | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of St. Mary's, York]                  |
| Thomas Esshe                   | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [monk of St. Mary's, York]                |
| Richard Donatson               | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of St. Mary's, York]                  |
| Margaret Harle                 | ...lxvj <sup>s</sup> viij <sup>d</sup>                      | —                  | vj <sup>s</sup> [sister of St. Leonard's,<br>York]         |
| John Turnor                    | ...iiij <sup>li</sup>                                       | —                  | viiij <sup>s</sup> [a conduct of St. Leon-<br>ard's, York] |
| John Morris                    | ...cvj <sup>s</sup> viij <sup>d</sup>                       | —                  | x <sup>s</sup> [monk of Selby]                             |
| John Marshall                  | ...liij <sup>s</sup> iiij <sup>d</sup>                      | —                  | iiij <sup>s</sup> [acolyte, Selby]                         |
| Will'm Hodgeson                | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of Meaux]                             |
| John Barrowe                   | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of Meaux]                             |
| Rob'te Laverocke               | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [canon of Malton]                         |
| Wm. Emerson                    | ...iiij <sup>li</sup>                                       | —                  | viiij <sup>s</sup> [canon of Malton]                       |
| Anne Ellerker                  | ...liij <sup>s</sup> iiij <sup>d</sup>                      | —                  | iiij <sup>s</sup> [sub-prioress of Watton]                 |
| Dorothe Vavasor                | ...xlvj <sup>s</sup> viij <sup>d</sup>                      | —                  | iiij <sup>s</sup> [nun of Watton]                          |
| Petri ( <i>sic</i> ) Thomson   | ...vj <sup>li</sup>   | —                  | xij <sup>s</sup> [monk of Whitby]                          |
| John Watson                    | ...c <sup>s</sup>   | —                  | x <sup>s</sup> [monk of Whitby]                            |
| Richard Shippinge              | ...vj <sup>li</sup> xiiij <sup>s</sup> iiij <sup>d</sup>    | —                  | xij <sup>s</sup> [monk of Mount Grace]                     |
| Rob'te Purseglove <sup>3</sup> | ...clxvj <sup>li</sup> xiiij <sup>s</sup> iiij <sup>d</sup> | —xvj <sup>li</sup> | xij <sup>s</sup> [prior of Guisborough]                    |
| Oliuer Greison                 | ...vj <sup>li</sup> xiiij <sup>s</sup> iiij <sup>d</sup>    | —                  | xij <sup>s</sup> [canon of Guisborough]                    |
| John Harrison                  | ...cvj <sup>s</sup> viij <sup>d</sup>                       | —                  | x <sup>s</sup> [canon of Guisborough]                      |
| John Lighton                   | ...cvj <sup>s</sup> viij <sup>d</sup>                       | —                  | x <sup>s</sup> [canon of Guisborough]                      |
| Thomas Whitbie                 | ...viiij <sup>li</sup>                                      | —                  | xvj <sup>s</sup> [canon of Guisborough]                    |

<sup>1</sup> 'Shawe' in Browne Willis's *History of Abbies*, p. 277.

<sup>2</sup> 'Monke.' *Ibid.*

<sup>3</sup> Bishop of Hull, etc. His very large pension was probably a recognition of the

help he gave in the work of suppression generally. He died 2 May, 1579, and is buried at Tideswell, his native place, where the well-known brass is laid over his tomb.

|                                |  |   |  |
|--------------------------------|--|---|--|
| Rob <sup>t</sup> Watson        | ...cvj <sup>s</sup> viij <sup>d</sup>                    | — | x <sup>s</sup> [canon of Guisborough]  |
| Edward Cockerell               | ...cvj <sup>s</sup> viij <sup>d</sup>                    | — | x <sup>s</sup> [canon of Guisborough]  |
| Dorothie Knighte               | ...xiiij <sup>li</sup> vj <sup>s</sup> viij <sup>d</sup> | — | xxvj <sup>s</sup> [prioress of Swine]  |
| Elizab <sup>t</sup> Clifton    | ...vj <sup>li</sup> xiiij <sup>s</sup> iiij <sup>d</sup> | — | xij <sup>s</sup> [nun of Swine]  |
| Margaret Whitfield             | ...lx <sup>s</sup>                                       | — | vj <sup>s</sup> [nun of Swine]   |
| Isabell Jenkinson              | ...liij <sup>s</sup> iiij <sup>d</sup>                   | — | iiij <sup>s</sup> [nun of Swine]   |
| Elizabet <sup>t</sup> Grimston | ...xlvj <sup>s</sup> viij <sup>d</sup>                   | — | iiij <sup>s</sup> [nun of Swine]   |
| Isabell Beine <sup>1</sup>     | ...xlvj <sup>s</sup> viij <sup>d</sup>                   | — | iiij <sup>s</sup> [nun of Nunkeeling]  |
| Rob <sup>t</sup> e Holland     | ...xlvj <sup>s</sup> viij <sup>d</sup>                   | — | vj <sup>s</sup>  |
| Ellen Standishe                | ...xlvj <sup>s</sup> viij <sup>d</sup>                   | — | iiij <sup>s</sup> [nun of Hampole]   |
| Agnes Sneiton                  | ...lx <sup>s</sup>                                       | — | vj <sup>s</sup> [nun of Nunappleton]   |
| Agnes Arthington               | ...xlvj <sup>s</sup> viij <sup>d</sup>                   | — | iiij <sup>s</sup> [nun of Nunappleton]   |
| Richard Snyderall              | ...vj <sup>li</sup>                                      | — | xij <sup>s</sup> [chantry priest B.V.M.,<br>Normanton]                                   |
| Ralph Chapman                  | ...c <sup>s</sup>  | — | x <sup>s</sup> [chantry priest St. Kath-<br>erine, Tadcaster]                            |
| Thomas Holden                  | ...xij <sup>li</sup>                                     | — | xxiiij <sup>s</sup> [inc. Holy Cross chantry,<br>Normanton]                              |
| Will <sup>m</sup> ffieldshed   | ...vj <sup>li</sup>                                      | — | xij <sup>s</sup> [inc. chantry of Jhū and<br>B.V.M., Normanton]                          |
| John Burne                     | ...lxiiij <sup>s</sup> iiij <sup>d</sup>                 | — | vj <sup>s</sup>  |
| Richard Gladwell               | ...lxxix <sup>s</sup>                                    | — | viiij <sup>s</sup>   |
| John Wilson                    | ...c <sup>s</sup>  | — | x <sup>s</sup> [chantry priest of Solsil<br>Chantry, Wakefield]                          |
| Will <sup>m</sup> Swane        | ...c <sup>s</sup>  | — | x <sup>s</sup> [chantry priest of Pilking-<br>ton Chantry, Wakefield]                    |
| X <sup>p</sup> ofer Stede      | ...iiij <sup>li</sup> viij <sup>s</sup> ij <sup>d</sup>  | — | viiij <sup>s</sup> [chantry priest of Grastok<br>Chantry, Wakefield]                     |
| John Notkey                    | ...xlvj <sup>s</sup> viij <sup>d</sup>                   | — | vj <sup>s</sup>  |
| Will <sup>m</sup> Gregges      | ...vj <sup>li</sup>                                      | — | xij <sup>s</sup> [vicar choral of Beverley<br>Minster]                                   |
| Thomas Sharrowe                | ...vj <sup>li</sup>                                      | — | xij <sup>s</sup> [vicar choral of Heming-<br>borough]                                    |
| Rob <sup>t</sup> e Collingson  | ...vj <sup>li</sup>                                      | — | xij <sup>s</sup> [vicar choral of Beverley<br>Minster]                                   |
| John Morris                    | ...c <sup>s</sup>  | — | x <sup>s</sup> [vicar choral of Beverley<br>Minster]                                     |
| John Levett                    | .. c <sup>s</sup>  | — | x <sup>s</sup> [vicar choral of Beverley<br>Minster]                                     |
| Rob <sup>t</sup> e Rusbie      | ...iiij <sup>li</sup> xj <sup>s</sup> x <sup>d</sup>     | — | viiij <sup>s</sup> [priest of chantry at<br>Hullbrig]                                    |
| Rob <sup>t</sup> e Turnor      | ...lxxix <sup>s</sup> iiij <sup>d</sup>                  | — | viiij <sup>s</sup> [one of the incumbents of<br>the chantry in Sheriff<br>Hutton Castle] |

<sup>1</sup> See *Richmond Wills*, p. 192, where is printed the will of her former prioress, Christina Burgh (21 Dec., 1566), who

bequeathed "to Isabell Bane, gentyl-  
woman, some tym a sister of Nunkyllyng,  
one old ryall."

|                         |  |   |   |
|-------------------------|--|---|---|
| Hugh Errington          | ...vii <sup>li</sup> x <sup>s</sup> ii <sup>j</sup> <sup>d</sup>                 | — | xv <sup>s</sup> [as chaplain of St. Nicholas Chantry, Wressle]  |
| idem Errington          | ...ix <sup>li</sup> vii <sup>s</sup>   | — | xvii <sup>s</sup> [as chaplain of Newsham Chantry, Wressle]   |
| Will'm See <sup>1</sup> | ...iii <sup>j</sup> <sup>li</sup> vij <sup>s</sup> iii <sup>j</sup> <sup>d</sup> | — | vii <sup>s</sup> [chantry priest at St. Saviour, Cottingham]  |
| Will'm Whitehed         | ...vj <sup>li</sup> xii <sup>s</sup> iii <sup>j</sup> <sup>d</sup>               | — | xij <sup>s</sup> [preb. of Howden]  |
| Rob'te Caldbecke        | ...xlvi <sup>s</sup>   | — | iii <sup>s</sup> [chantry priest at Yokeflete]  |
| Will'm Thomson          | ...lxxii <sup>s</sup> iii <sup>j</sup> <sup>d</sup>                              | — | v <sup>s</sup> [chantry priest at Blacktoft]  |
| Thomas Jeffraison       | ...lii <sup>s</sup> iii <sup>j</sup> <sup>d</sup>                                | — | iii <sup>s</sup> [chantry priest B.V.M., Leeds]   |
| Henrie Browne           | ...xiii <sup>j</sup> <sup>li</sup>   | — | xxvi <sup>s</sup>   |
| John Breerton           | ...lii <sup>s</sup> iii <sup>j</sup> <sup>d</sup>                                | — | iii <sup>s</sup>  |
| Thomas ffugaile         | ...c <sup>s</sup>  | — | x <sup>s</sup>  |
| Will'm Tatam            | ...lx <sup>s</sup>   | — | v <sup>s</sup> [chantry priest St. Thomas in St. Mary, Castlegate, York]                                      |
| Richard Stapleton       | ...vj <sup>li</sup>  | — | xij <sup>s</sup> [chantry priest St. James, Old Malton]   |
| John Key                | ...lx <sup>s</sup>   | — | v <sup>s</sup>  |
| Will'm Garnett          | ...vj <sup>li</sup> xii <sup>s</sup> iii <sup>j</sup> <sup>d</sup>               | — | xij <sup>s</sup> [chantry priest St. Cuthbert, in St. Helen's, Stonegate, York]                               |
| Edward Swaine           | ...iii <sup>j</sup> <sup>li</sup> ij <sup>s</sup> vii <sup>j</sup> <sup>d</sup>  | — | vii <sup>s</sup> [chantry priest St. John Evan., York Minster]  |
| Roger Newark            | ...c <sup>s</sup>  | — | x <sup>s</sup> [inc. of chantry of Holy Cross, St. Anne, and St. Anthony, in St. Sepulchre's Col., York Min.] |
| Will'm Burden           | ...iii <sup>j</sup> <sup>li</sup> xv <sup>s</sup>                                | — | vii <sup>s</sup> [chantry priest St. Nicholas, Yarm]  |
| John Riddesdale         | ...lxxv <sup>s</sup> v <sup>d</sup>  | — | v <sup>s</sup> [chantry priest B.V.M., Stokesley]   |
| Alexander Adam          | ...vj <sup>li</sup>  | — | xij <sup>s</sup> [chantry priest at St. William's Altar, York Min.]   |
| John Blaisdale          | ...iii <sup>j</sup> <sup>li</sup>  | — | vii <sup>s</sup>  |
| John Bell               | ...lxxj <sup>s</sup> iii <sup>j</sup> <sup>d</sup>                               | — | v <sup>s</sup> [as one of the incumbents of Eldmyre Chapel, Topcliffe]  |
| idem Johannes           | ...iii <sup>j</sup> <sup>li</sup> xvij <sup>d</sup>                              | — | vii <sup>s</sup> [as incumbent of the Guild of the B.V.M., Topcliffe]   |
| Thomas Graison          | ...lv <sup>s</sup> x <sup>d</sup>  | — | iii <sup>s</sup>  |
| Edward Sandall          | ...iii <sup>j</sup> <sup>li</sup> xv <sup>s</sup> iii <sup>j</sup> <sup>d</sup>  | — | vii <sup>s</sup> [chantry priest of St. Thomas' Chantry, St. Denis, on Ouse Bridge, York]                     |
| Robt. Hochinson         | ...c <sup>s</sup>  | — | x <sup>s</sup>  |

<sup>1</sup> So written, but apparently an error for 'Lee.'

|               |                   |   |  |
|---------------|-------------------|---|--|
| Thomas Hewett | ...c <sup>s</sup> | — | x <sup>s</sup> [chantry priest St. John Baptist, Thirsk]                           |
| Antho. Iveson | ...c <sup>s</sup> | — | x <sup>s</sup> [chantry priest of Holy Trinity, at St. Anne's Altar, York Minster] |

Summa Totalis subsidii predicti juxta ratam ij<sup>s</sup> de libra

—lxviiij<sup>li</sup> xvj<sup>s</sup>

w<sup>ch</sup> said some of threscore eight poundes xvj<sup>tene</sup> shillinges is chardged by Mr. Roue, Auditor of the said shire, in my Accompte Anno xv<sup>to</sup> E. Regine as by the declaracion thereof made the v<sup>th</sup> of Marche, 1573, before the righte honorable the L. Burghley, L. Treasurer of England, and Sr Walter Myldemay, Knight Chauncellor of her Ma<sup>tes</sup> Courte of Exchequor more at lardge apperethe And likewise paid by me into her ma<sup>tes</sup> receipte of Excheq<sup>r</sup> accordinglye as parcell of my chardge pro dicto anno xv<sup>to</sup> domine nunc Elizabeth Regine &ct.

ij<sup>o</sup>m'cij 157<sup>4</sup>

per Jo. Yenkyngs Rē.

Md. that all the seu'all Subsidyes due and payeable sythence the last yeare of the late Quene Mary untill this presente yeare by reason of any pencion of Religious person or others w<sup>hin</sup> the said Countie have byn likewyse answeyrd before thaudytors of the same Countie to our sou'aygne Ladye the Q. ma<sup>tes</sup> use that now ys by the Receavor of the same Countie for the tyme beinge accordinge to the forme & effecte of the statutes in that behalfe provyded &ct. As by the seu'all Accomptes of the said Receavor may appeare.

Ex' xiiij<sup>to</sup> m'tij 1573

per Antho. Roue. Aud'.

Hunc Rotulum liberavit hic supradictus Receptor xiiij<sup>o</sup> die marcij anno xvj<sup>o</sup> Elizabeth Regine per manus suas propinas, et prestitit sacramentum.

Endorsed: Ebor' t'cia soluc' Subs' penc'

A<sup>o</sup> xvj E. R<sup>o</sup> concess'.



The Domesday Survey speaks of two manors in Gilling.<sup>1</sup> One, of four carucates, which had been held by Orm in the time of the Confessor, was in the hands of Ralph de Mortemer when the survey was made. I have not been able to trace the descent of this manor. The other manor, also of four carucates, held by Barch in the Confessor's time, was, together with several other manors in the neighbourhood of Coxwold, held by Hugh fitz-Baldric. Most of his lands, including Gilling, were afterwards possessed by the Mowbrays, and it is probable that he lost them by siding with Duke Robert in the rebellion of 1106.<sup>2</sup> But the tenure by which this manor was held under its overlords, the Mowbrays of Thirsk, was so slight that it has left no visible traces behind it, and it is the sub-tenants, the Ettons of Gilling, who now more immediately interest us.

The Ettons took their name from Etton, a village in the East Riding, about four miles north-west from Beverley. They appear at Gilling in the latter half of the twelfth century, and early in the thirteenth century they divide into two distinct lines, of Etton and Gilling respectively. The arms of Etton of Etton, quartered by the Langdales,<sup>3</sup> are the same as those borne by the Ettons of Gilling—*Barry argent and gules, on a canton sable a cross patonce or*. The *barry* foundation of these arms was doubtless derived from the arms of the Stutevilles, who were tenants-in-chief at Etton, and held the advowson of the church there. The *canton* may possibly be derived from Vesci,<sup>4</sup> a conjecture which obtains some support from the recurrence of the name Ivo in the Gilling family. Ivo de Vesci granted two carucates in Gilling in Ryedale to St. Mary's Abbey, York, and his son-in-law, Eustace fitz-John (d. 1157), granted four carucates and the church of Gilling.<sup>5</sup> "C.," abbot of St. Mary's, York,<sup>6</sup> granted to Geoffrey de Stuteville three and a half carucates of land

<sup>1</sup> *Domesday Book*, original edition, 325b, 327b, 380b. Facsimile edition, 56, 60b, 84b. Translation in *Yorkshire Archaeological Journal*, xiv. 256, 270, 368. Hugh fitz-Baldric's manor is not mentioned in the recapitulation (see *Yorks. Archaeol. Journal*, xiv. 267, note 25).

<sup>2</sup> *Biographical Notes on the Yorkshire Tenants in Domesday*, by A. S. Ellis. *Yorks. Archaeol. Journal*, iv. 239.

<sup>3</sup> *Yorks. Archaeol. Journal*, xi. 372.

<sup>4</sup> For notes on the arms of Vesci and Aton see *Yorks. Archaeol. Journal*, xii. 263-6 (A. S. Ellis).

<sup>5</sup> Carta Eustachii filii Johannis de quatuor carucatis terre in Gilling' in Rydala. Sciant omnes has litteras visuri vel audituri quod ego, Eustachius filius Johannis, concessi et hac presenti carta

mea confirmavi Deo et monachis ecclesie B. Marie Ebor. quatuor carucatas terre in Gilling' in Ridala cum omnibus pertinentiis suis, et ecclesiam eiusdem ville cum dimidia carucata terre. Tenend. in liberam et puram et perpetuam elemosinam, libere et quiete ab omni demanda et servicio seculari. Testibus hiis, Roberto de hospitali, Waltero capellano, . . . . . capellano, Roberto diacono, Willelmo filio Gueri, Johanne Burdun. *Register of St. Mary's Abbey, York* (Dean and Chapter Library, xvi. A. 1.) fo. 215. In Kirkby's Inquest (see *post*) St. Mary's Abbey holds 3½ carucates in Gilling, and the church is endowed with half a carucate.

<sup>6</sup> According to the *Monasticon* (1821 ed.), iii. 538, Clement was abbot of St. Mary's, York, from 1161 to 1184.

in "Ghillinghe in Ridale," the date of the transaction being fixed by the fact that the deed is witnessed by Robert de Stuteville, sheriff of Yorkshire (1170-1175).<sup>1</sup> The church of Gilling was confirmed to the abbot and convent of St. Mary, York, by "G.," archbishop of York.<sup>2</sup>

Our earliest information as to the history of the Etton family is derived from the Chronicle<sup>3</sup> of the Cistercian Abbey of Meaux, in Holderness, which describes the numerous transactions by which the abbey obtained possession of various lands, &c., held by this family, chiefly in Skyren (Skerne, near Driffield), which the Ettons held under the Stutevilles. The first of the two accompanying pedigrees<sup>4</sup> of the Ettons is principally based on this chronicle.

The chronicle relates that Hugelin de Etton, who married Albreia, daughter of Robert de Okton, was lord of Skerne, and held lands and tenements in Hutton Cranswick, all of the fee of Robert de Stuteville. To this Hugelin King Henry I. granted the custody of the castle of Hode, near Byland, "in the time of the war" (*i.e.* the war of the early years of Henry's reign). Hugelin however was disgraced, and forfeited the custody of the castle and the seisin of the whole of his free tenement, which the King granted to (1) ODARD DE MAUNSEL, "miles Gallicus." From this Odard de (? le) Maunsel descended the family of Etton. Odard had two sons, (2) GEOFFREY and Odard. Geoffrey's son was (3) THOMAS DE ETTON senior, who gave to the abbey of Meaux, for the maintenance of a light in the church, a toft in Etton, which was afterwards exchanged for lands, &c., in Skerne, for the soul of Thomas's mother, "who lies buried with us" (*i.e.* at Meaux).<sup>5</sup> The chronicle gives an account of a lawsuit between the convent and Robert de Etton, parson of the church of Hoton, clerk and familiar of Archbishop Geoffrey, "who extorted from us by violence the tithes of our lands in Skerne." "The parson being, as the chronicler observes, expert in tricks of the law, protracted the cause for two years, even after he had been placed under the Pope's excommunication. Arbitrators were at length agreed to, who unhappily showed gross partiality, according to our author, for they decided against the abbey."<sup>6</sup> Parson Robert may possibly have been a younger

<sup>1</sup> This document is in the fine collection of Etton and Fairfax deeds, in the possession of Mr. Hugh C. Fairfax-Cholmeley, of Brandsby.

<sup>2</sup> Doubtless Geoffrey Plantagenet, archbishop 1191 to 1207. The confirmation is in Mr. Fairfax-Cholmeley's collection (fragment of the archbishop's seal attached).

<sup>3</sup> *Chronica Monasterii de Melsa*, Rolls Series, ed. E. A. Bond. The chronicle was chiefly compiled by Thomas de Burton, who was abbot of Meaux from 1396 to 1399.

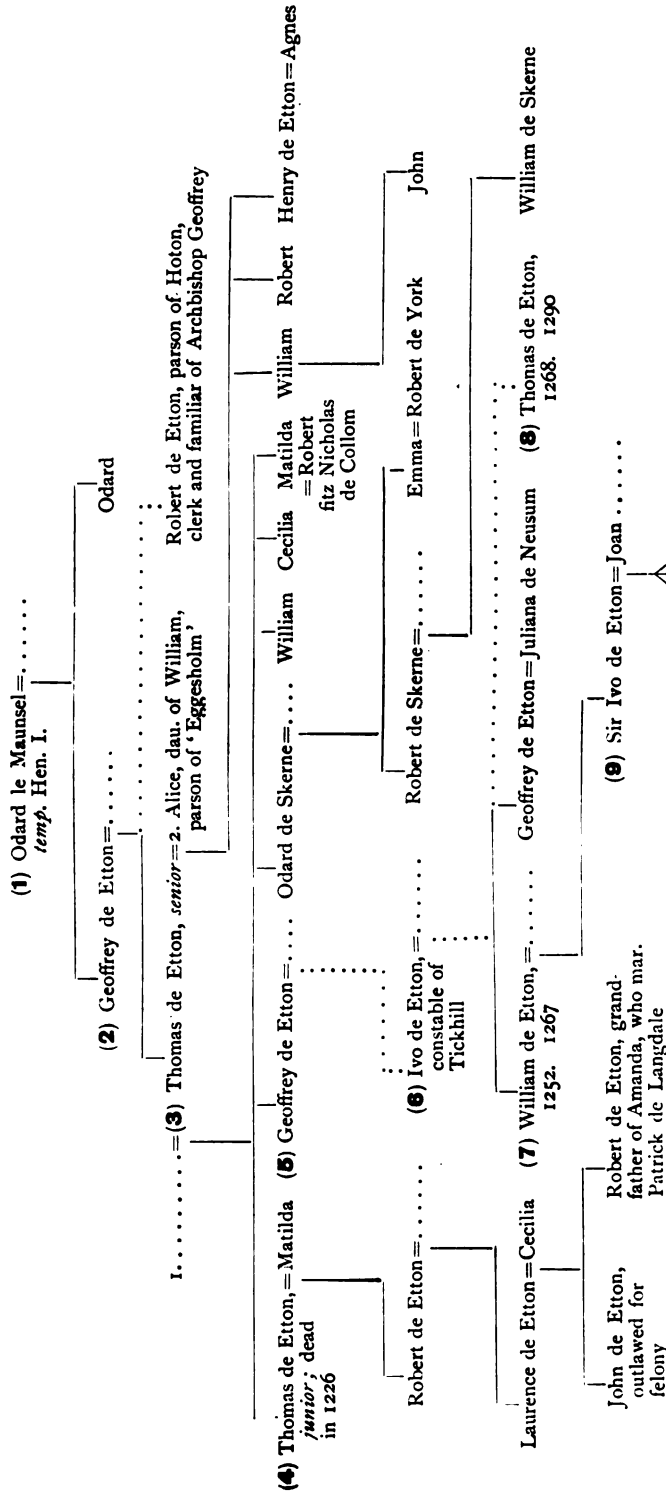
<sup>4</sup> The numbers prefixed to names in the text refer to the corresponding numbers in the pedigrees.

<sup>5</sup> *Chron. Mon. de Melsa*, i. 316-17.

<sup>6</sup> *Ibid.*, i. 320, and preface i. xxxii.



# Etton, of Etton and Gilling.



brother of Thomas de Etton senior, but the chronicle gives us no information as to his parentage. Thomas de Etton (described as son of Geoffrey de Etton) and his wife granted to the convent of Watton 195 acres in the fields of Etton (*in campis de Ettona*).<sup>1</sup> Thomas married twice, his children by his first wife being Thomas junior, Geoffrey, Odard de Skerne (from whom probably descended the Skernes of Skerne), and two daughters. By his second wife, Alice daughter of William, parson of the church of 'Eggesholm,' he had three sons, William, Robert and Henry.<sup>2</sup> He appears to have had, by his first wife, another son, William, who is not mentioned in the Meaux chronicle, for in Mr. Fairfax-Cholmeley's collection is a grant in fee by Thomas, son of Geoffrey de Ettun, to William, son of his first wife, of one bovate in Gilling, "which William son of Grim held and quitclaimed to me, for himself and his heirs, because I placed him in religion, for which placing I deposited the value of 100 shillings, as of my own proper buying (*"tenuit et quietam mihi clamavit de se et heredibus suis, quia posui eum in religione, pro cuius positione posui valentiam c. solidorum,"* etc.); to hold rendering only so much forinsec service as belongs to one bovate of land, of which twenty carucates make a knight's fee."<sup>3</sup> If I am right in attributing this grant to Thomas de Etton senior, it is the earliest record which I have found of the connection of the Ettons with Gilling.

(4) THOMAS DE ETTON junior, the eldest son of Thomas senior, seems to have been an unfortunate individual. He killed Jordan de Raventhorpe, "propter sororem suam, Ceciliam."<sup>4</sup> In the time of Hugh, the fifth abbot of Meaux (1210-1220), Thomas, being greatly in debt to the Jews, received sixty marks from the convent, and let his lands in Skerne to them for fifteen years. In the following year, when all who owed money to the Jews were compelled to satisfy the King concerning their debts, Thomas had to pay the large sum of 240 marks, which he borrowed from the convent, to be repaid in twelve years by yearly instalments. 'He had to give them also seven oxgangs and sixty acres of land, with closes, pastures, the right of fishing, and other liberties, in Skerne; and to engage not to sell, or let, or mortgage the rest of the estate to any party whatever except to the monastery. To guard against any tricks on the part of the Jews, the convent had a search made in their public chest at York

<sup>1</sup> *Dodsworth MSS.*, vii. 315b. The grant is witnessed by Roger archbishop of York (1154-1181), Simon canon of Beverley, Walter chaplain of Malton, Richard priest of Watton, William clerk of Etton, Stanard de Etton, Walter 'prepositus' of Watton, and others.

<sup>2</sup> *Chron. Mon. de Melsa*, i. 318-19.

<sup>3</sup> This grant is witnessed by Ralph de Surdeval, Reginald de Capetoft, William Burdon, Geri de Gilling, Adam de We, Enricus de Etton, William his brother, Geoffrey de Ampleford, and others.

<sup>4</sup> *Chron. Mon. de Melsa*, i. 317.

for any bond relating to the land; and succeeded in obtaining a release from all debts secured on the land by Thomas de Etton. They paid to the sheriff of York for his consent and assistance in the search, ten marks.<sup>1</sup> They also paid to Nicholas de Stuteville, the chief lord of Skerne, forty marks for his seignorial rights over the ten carucates—eight in Skerne, and two in Hutton and Cranswick—which made up the half of a knight's fee held of him by Thomas.<sup>1</sup> In 1223 Thomas de Etton junior released to John de Surdeval nine and a half bovates of land in Gilling in Ridale, in consideration of the payment of six marks of silver.<sup>2</sup> Thomas was dead in 1226, when his widow, Matilda, claimed of Nicholas de Stuteville one-third of her husband's lands in Etton as her dower.<sup>3</sup> From his son Robert, who quitclaimed to Watton Priory all its possessions in Etton,<sup>4</sup> descended the Ettons of Etton. Robert's son Laurence was the great-grandfather of the Amanda de Etton who married Patrick de Langdale.<sup>5</sup>

(5) GEOFFREY DE ETTON was the second son of Thomas de Etton senior. His father gave him six bovates of land in Skerne, which he (Geoffrey) let to the convent of Meaux for a term of years, and afterwards, in the time of Alexander, the fourth abbot (1197-1210), granted to them in frankalmoign.<sup>6</sup> It was apparently this Geoffrey who granted to the Dean and Chapter of York all the lay fee which William Burdon held of him in Grimston,<sup>7</sup> and one toft which Bernard the miller (*Molendinarius*) held of him in Gilling.<sup>8</sup> This grant was confirmed by Geoffrey's brother, Thomas de Etton, and in his confirmation the fee in Grimston is described as consisting of twelve bovates.<sup>9</sup> In 1220 Geoffrey de Etton paid 20s. for a writ to summon twelve jurors for an assise of novel disseisin against Absalon, parson of the church of the Holy Cross of Gilling, concerning tenements in Gilling.<sup>10</sup> Geoffrey de Etton and Absalon the parson of Gilling appear as witnesses to a quitclaim by William de Surdeval to the abbey of St. Mary, York, of three and a half carucates in Gilling.<sup>11</sup> Geoffrey is mentioned as having been present when Nicholas de Stuteville and

<sup>1</sup> *Chron. Mon. de Melsa.*, i. 374-7, and preface i. xxxix.

<sup>2</sup> *Fine Roll*, 5 Hen. III. *Feet of Fines, Yorks.*, 7 Hen. III. *Chartulary of St. Mary's Abbey, York* (now in the possession of the Dean and Chapter of York), fo. 215. *Dodsworth MSS.*, ix. 69b.; clvi. 306. The release is in Mr. Fairfax-Cholmeley's collection.

<sup>3</sup> *Coram Rege Roll*, 10 Hen. III., no. 95, m. 5. *Cf. Rot. Litt. Claus.*, 10 Hen. III. (ii. 150b).

<sup>4</sup> *Mon. Ebor.*, 413.

<sup>5</sup> *Yorks. Archæol. Journal*, xi. 372.

<sup>6</sup> *Chron. Mon. de Melsa.*, i. 318.

<sup>7</sup> Grimston, in the parish of Gilling.

<sup>8</sup> *Dodsworth MSS.*, cxv. 87b. The grant is witnessed by S. Decano and H. *Thesaurario*. Simon of Apulia was Dean of York between 1194 and 1214. Hamo was treasurer in 1199, when he and Simon appear together as witnesses to a charter in the *Guisborough Chartulary* (Surtees Society, lxxxix.), ii. 54.

<sup>9</sup> *Dodsworth MSS.*, vii. 103.

<sup>10</sup> *Fine Roll*, 4 Hen. III., part 1, m. 4 (York, June 10, 1220). See also Appendix, I. *post*.

<sup>11</sup> *Dodsworth MSS.*, ix. 69; clvi. 30.

Robert and Nicholas his sons were bound in 1005. to the nuns of Keldholm,<sup>1</sup> and he witnessed a charter of Robert, son of Nicholas de Stuteville, to Keldholm.<sup>2</sup> He also witnessed a charter of Richard Cruer of Kalton<sup>3</sup> in Ridale, granting land to the hospital of St. Peter, York,<sup>4</sup> and a charter of Thomas de Richeburne to Byland Abbey.<sup>5</sup> It is clear from the above facts that Geoffrey was intimately connected with Gilling, and although I have been unable to find any definite proofs of his relationship with the next two generations, it appears most probable that he was the ancestor of the Ettons of Gilling.

(6) IVO DE ETON is described in the *Testa de Nevill* (circa 1235-1245) as holding one fee of Roger de Mowbray in the county of York,<sup>6</sup> which doubtless refers to Gilling. In the accompanying pedigree I have suggested that Ivo was the son of Geoffrey, though proof is wanting. Ivo de Eton, then constable of Tickhill, witnessed a quitclaim of Matilda de Luvetot, widow of Gerard de Furnival, to the prior and canons of Worksop<sup>7</sup> (Gerard de Furnival died 3 Hen. III.). In 1233 Ivo de Eton witnessed an agreement between Robert de Brereton and Walter de Percy.<sup>8</sup> In a list of tenants by military service who are not knights, 40 Hen. III., Ivo de Eton appears as holding twenty librates of land in the wapentake of Ryedale.<sup>9</sup>

(7) WILLIAM DE ETON was probably son of this Ivo. By an agreement dated at York on the Quinzaine of the Epiphany, 1251 (Jan. 20, 1251-2), William de Eton released and quitclaimed to Osbert de Corneburgh the service of his men in Gilling; the services are recounted in the agreement, and Osbert is to pay yearly to William de Eton at Easter a pair of white gloves in lieu of all services.<sup>10</sup> In 1267 William de Eton witnessed a charter of the abbot of York to Sir Adam de Barton.<sup>11</sup> We may doubtless attribute to the same person a grant by "William de Hetton de Gilling in Rydale" to Geoffrey de Hetton<sup>12</sup> his brother and Juliana de Neusum his wife, of two bovates in the territory of Gilling and three acres of land of "marys ad assartandum" next to the land of William Surdeval, chaplain and to the assart which Master Roger de Laycester, parson

<sup>1</sup> *Dodsworth MSS.*, vii. 217.

<sup>2</sup> *Ibid.*, vii. 217b.

<sup>3</sup> Cawton, in the parish of Gilling.

<sup>4</sup> *Dodsworth MSS.*, vii. 116b; cxx<sup>a</sup>. 53.

<sup>5</sup> *Ibid.*, vii. 173. This charter is also witnessed by William Burdon of Grimston, Bartholomew de Torri, and Geoffrey de Ampleford.

<sup>6</sup> *Testa de Nevill*, 363, 366. Printed as "Ivo de Ecton."

<sup>7</sup> *Monasticon*, vi. 120.

<sup>8</sup> *Dodsworth MSS.*, cliii. 86b.

<sup>9</sup> *Cott. MSS.*, Claudius C. ii. fo. 25, printed in *Kirkby's Inquest* volume (Surtees Soc., xlix.), p. 434.

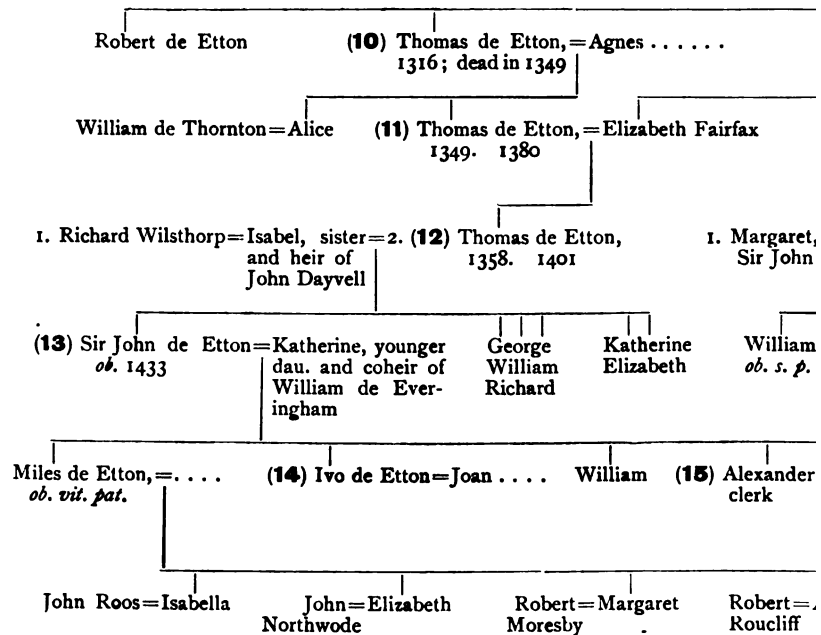
<sup>10</sup> This agreement is in Mr. Fairfax-Cholmeley's collection. It has a seal with fleur-de-lis surrounded by a legend in Lombardic characters.

<sup>11</sup> *Dodsworth MSS.*, clvi. 58b.

<sup>12</sup> Ivo and Geoffrey de Eton and Robert Barne of Gilling appear together as witnesses to a charter of Baldwin Wake, son of Joan de Stuteville and Hugh Wake (*Dodsworth MSS.*, vii. 220).

# Etton and

(9) Sir Ivo de Etton  
1279.



Sir Thomas Fairfax, = Anne, dau. of  
of Walton and Sir William  
Gilling; ob. 1520 Gascoigne, of  
Gawthorpe

1. Jane, dau. of = Sir Nicholas Fairfax  
Guy Palmes of Walton and  
Gilling; ob. 1571

1. Agnes, dau. of = Sir William Fairfax  
George, of Walton and  
lord Darcy Gilling; ob. 1597

1. Catharine, eldest dau. = Sir Thomas Fairfax  
of Sir Henry Con- cr. Viscount Fairfax  
stable, of Burton of Emley; ob.  
Constable

Thomas, second Viscount Fairfax  
of Emley; ob. 1641

# Far of Gilling.

1. = Joan . . . . .

1. Ivo de Etton = Thomas Fairfax,  
of Walton Ivo de Etton, preceptor  
of Templehirst

1. Fairfax, = Ellen, dau. of Thomas John, rector of Hawnby,  
Iton John Roucliffe Gilling, and Prestcote;  
*ob.* 1393 Mary Alice Clarissa  
Agnes

= Thomas Fairfax, = 2. Margaret, dau. of Brian, Richard = Isabella  
of Walton; John Fryston, precentor  
*ob.* 1395 of Marston of York

= Constance Richard Fairfax, = Eustachia, dau. and Thomas Guy Ellen  
de Mauley of Walton; *ob.* 1431-2 heiress of John Carthorpe George John

1. William Fairfax, = Katherine, dau. Brian Sir Guy Fairfax, Sir Nicholas Margaret  
of Walton; of Sir Alexander Miles of Steeton Fairfax, a  
*ob.* 1453 Nevill, of knight of  
Thornton Bridge Rhodes Agnes

Sir Thomas Fairfax, = Elizabeth, dau. of Mary *a quo* Fairfaxes of  
of Walton; claimant Sir Robert Sherburne, of Stony- Steeton, Denton  
to Gilling; *ob.* 1505 hurst and Nunappleton

Robert of Anne Elizabeth Dorothy  
Acaster Elizabeth Isabella  
Malbis Jane

lice, dau. of Sir John Harrington, etc.  
and widow of Sir Henry Sutton

ane, dau. and heiress of etc.  
Brian Stapleton, of  
Burton Joyce

2. Mary, dau. of Robert Ford,  
of Butley, and widow of  
Sir William Bamburgh,  
of Howsham

lathes, dau. of etc.  
sir Philip Howard

of the church of Gilling, assarted; a rent of 3*d.* is to be paid to St. Mary's, York.<sup>1</sup> To the same period belongs a grant by Gilbert de Wad, son of William de Wad, to Robert Barn, son of Walter le Barn of Gilling, of a toft and croft which lay between the lands of Roger Laycester, rector of the church of Gilling, and William de Etton.<sup>2</sup> William de Etton is also mentioned as a witness to a release and quitclaim by William de Lascelles, of Cawton, of land in Cawton (par. Gilling)<sup>3</sup>; to a grant by Geoffrey del Beckes, of Ampleford, to his brother William, of a toft in Ampleford<sup>4</sup>; and, with Thomas de Etton, to a charter of Sir Peter de Staingrive to Byland.<sup>5</sup>

(8) THOMAS DE ETTON had a grant in Laysthorp from Henry, abbot of Byland, in 1268.<sup>6</sup> He is mentioned in 1260 as a witness to a charter of Simon de Vere to Rievaulx,<sup>7</sup> and to charters to Byland, dated 1270, 1278, 1281, and 1290.<sup>8</sup> The same name occurs among the witnesses to many undated charters of this period, to Rievaulx,<sup>9</sup> Byland,<sup>10</sup> Newburgh,<sup>11</sup> and Malton.<sup>12</sup> There is little doubt, therefore, that he was a member of the Gilling family, but, in default of evidence, the position assigned to him in the accompanying pedigree is only conjectural. Felicia, widow of Thomas de Etton, is mentioned in 1302 as claiming land in Slingsby.<sup>13</sup> A grant of land in Laysthorp was made to Thomas, son of Richard de Etton, in 34 Edw. I.<sup>14</sup>

(9) SIR IVO DE ETTON was the son of William de Etton, as appears from the pleadings in a suit recorded on the Assize Rolls, 7 and 8 Edw. I.,<sup>15</sup> between Ivo and Walter the parson of Gilling. These pleadings also tend to confirm the conjecture that the Ettons of Gilling descended from Geoffrey (5). On the Thursday after the Purification of the B.V.M., 1282 (Feb. 4, 1282-3), an agreement was

<sup>1</sup> This grant, which is in Mr. Fairfax-Cholmeley's collection, is witnessed by Sir William de Wivile, Robert de Fritheby, Robert de Bulford, William de Barton, Richard de Kirkeby, Nicholas de Neusum, Robert Barne, John of Cotingham, and others.

<sup>2</sup> This grant, also in Mr. Fairfax-Cholmeley's collection, is witnessed by Sir John de Oketon, then seneschal of St. Mary's, York, Master Roger de Laycester, rector, William Burdun, Robert Burdon, Walter de Colton, Geoffrey de Ampilford, and others.

<sup>3</sup> *Rievaulx Chartulary* (Surtees Soc., lxxiii.), 207.

<sup>4</sup> *Dodsworth MSS.*, lxiii. 58.

<sup>5</sup> *Ibid.*, xci. 106. Witnessed also by Sir William le Latymer, then Sheriff of Yorkshire, and by Master Richard de

Olysford, then the King's escheator. William le Latymer was sheriff in 1254, and again in 1266.

<sup>6</sup> *Dodsworth MSS.*, xci. 102*b*.

<sup>7</sup> *Rievaulx Chartulary*, 227.

<sup>8</sup> *Dodsworth MSS.*, xciv. 32; lxiii. 67; xci. 101*b*; cxxv. 169; xci. 151*b*.

<sup>9</sup> *Rievaulx Chartulary*, 236, 250.

<sup>10</sup> *Dodsworth MSS.*, vii. 97*b*; xci. 73, 82*b*, 96*b*, 101*b*; xciv. 14. Also, with Ivo de Etton, xci. 77*b*, 116.

<sup>11</sup> *Ibid.*, xci. 45 (with Ivo de Etton).

<sup>12</sup> *Monasticon*, vi. 973.

<sup>13</sup> *De Banco Roll*, Easter, 30 Edw. I., no. 142, m. 196.

<sup>14</sup> *Dodsworth MSS.*, cxx*a*, 55*b*.

<sup>15</sup> The extract from the Assize Rolls is printed in full in Appendix I., *post*. Ivo is also described as son of "William de Eton" on *Coram Rege Roll*, 1 Edw. II., Easter, m. 2 *dorso*.

made between the same parson, Master Walter of Northampton, rector of the church of Gilling, and Sir Ivo de Etton, knight, and Joan his wife, parishioners of the said church, about the tithe of fallen wood (*silvarum ceduarum*).<sup>1</sup>

In Kirkby's Inquest (1284-5) Ivo de Etton appears as the first of the twelve jurors who made the returns for the wapentake of Ryedale. Gilling and Sutholm<sup>2</sup> were held for a fourth part of a knight's fee of Roger de Mowbray, who held of the King in chief. Of three carucates in Sutholm, Ivo de Etton held one and a half. The entry under the heading of Gilling is as follows:—"In Gilling there are two and a half carucates of land to be taxed, of the fee of Mowbray, which Yvo de Etton holds of Roger de Mowbray, and Roger of the King in chief, of which twenty carucates make a knight's fee, and 15*d.* a year is paid for the fine of the wapentake. And there are here three and a half carucates of land of the liberty of St. Mary of York untaxed. And the canons of Malton have half a carucate. And the church is endowed with half a carucate of land untaxed."<sup>3</sup> In the Lay Subsidy Roll, 30 Edw. I. (1301), Ivo de Etton is taxed at 24*s.* 11½*d.* for his holding in Gilling; five others there pay small sums, making a total of 33*s.* 8¾*d.*, excluding the tenants of the liberty of St. Mary, York, who pay a total of 17*s.* 1*d.*<sup>4</sup>

An entry on the Plea Rolls for Michaelmas term, 18 Edw. I. (1290), shows Ivo de Etton exercising his rights as lord of Gilling. He was attached to answer to the archdeacon of Richmond for impounding 400 sheep at Gilling. The jurors found that a certain place called Westcroft was enclosed (*positus fuit in defensum*) for the plough-teams for the whole community of the vill from the feast of St. Michael until the feast of St. Martin, and that the archdeacon, by his shepherd, had placed his sheep there before the time had expired; in consequence of which Ivo had impounded them. He was acquitted.<sup>5</sup> In 1307 Thomas, son of John de Wymbeltone, brought an action for assault against Ivo de Etton, Joan his wife, and Thomas his son—a curious case, in which a villan who refused to do his work as a mower was put in the stocks until he justified himself.<sup>6</sup> In 1311 Ivo and his wife had a dispute with another parson of Gilling, Master Adam de Louther, who claimed common of pasture in Gilling, of which Ivo and Joan "had unjustly disseised Master William de Walton, formerly parson of the church of Gilling

<sup>1</sup> *Chartulary of St. Mary's Abbey, York, ut sup.*, fo. 336*b*.

<sup>2</sup> South Holme, a township in the parish of Hovingham.

<sup>3</sup> *Kirkby's Inquest* (Surtees Soc., xlix.), 110, 112, 116, 118.

<sup>4</sup> *Yorkshire Lay Subsidy*, 30 Edw. I. (*Y.A.S. Record Series*, xxi. 55, 115).

<sup>5</sup> *Abbrev. Placit.*, 283.

<sup>6</sup> The extract from the *Coram Rege Roll* referring to this case is printed in Appendix II., *post*.



in Ridale, predecessor of the said Adam, after the first crossing of Lord Henry the King, grandfather of the present King, into Gascony." Adam also accused Ivo and his wife of unjustly disseising Master Walter de Northampton, formerly parson of Gilling, in like manner.<sup>1</sup> An agreement about tithes between this Adam and Ivo de Etton, knight, was made on the Tuesday after St. Luke the Evangelist (Oct. 19), 1311, 5 Edw. II.<sup>2</sup>

Mr. Fairfax-Cholmeley's collection of Etton deeds contains several to which Ivo de Etton was a party. One of these is a grant in fee by "Ivo de Etton de Gylling," knight, to Robert his son and heir, of a tenement with the crop growing thereon which Ivo held of the fee of the abbot and convent of St. Mary of York in Gilling in Rydale; a rent of half a mark of silver to be paid to the convent at Martinmas and Whitsuntide.<sup>3</sup> This Robert must have died during his father's lifetime, for, as we shall presently see, Sir Ivo was succeeded by another son, Thomas. By another of these deeds, John son of Absalon, and Angnes (*sic*) his wife, of Calveton, grants to Ivo de Etton "a piece (*placea*) of wood" in a certain place called Henri Buske in the town and territory of Gyllyng, in exchange for an acre and a rood and a half of land in the same territory called Scorte-buttes.<sup>4</sup> Another is a grant by Alan, son of Alan de Brakanbergh, to Sir Yvo de Etton, lord of Gilling, of two tofts and one bovat of land in Gilling, which Robert de Brakanbergh his brother held.<sup>5</sup> Sir Ivo de Etton and Master Walter, rector of Gilling, witness a grant, dated St. Luke the Evangelist's day (Oct. 18), 1288, by Elianor de Wat to John de Boterwyk, of a toft and croft in Gilling and three oxgangs of arable land in the field of Gilling on the east side of the town in the liberty of B. Mary of York, lying between the land of Sir Ivo de Etton and the land of the church of Gilling, and one selion lying between the Calveton road and the land of Walter le Barn. Another, and apparently the latest, of these deeds referring to

<sup>1</sup> *De Banco Roll*, 4 Edw. II., Easter, no. 185, m. 45.

<sup>2</sup> *Chartulary of St. Mary's Abbey, York*, *ut sup.*, fo. 337.

<sup>3</sup> This grant is witnessed by Robert de Frydeby, Paulin de Lilling, and William Burdon, knights; Colin de Barton, John de Besingby, Roger de Thorneton, clerk, and others.

<sup>4</sup> This grant is witnessed by William de Harum and William Burdoun, knights; John de Besyngby, Robert de Colton (*sic*), Roger Raboc, Geoffrey del Becke, William del Becke, and others. Oval seal, with fleur-de-lis surrounded by a legend, now illegible.

<sup>5</sup> This grant is witnessed by John de Barton of Friton, John de Barton of Oswaldekyrk, and John de Yarpenvile, knights; Robert de Colton, Robert Raboc, William de Besingby, John son of Absolon de Calveton, Richard del Wald, William del Bek, John de Yarpenvile of Ampelford, and others. The grant is mentioned in an action brought by Richard de Shupton against Ivo de Etton, Alan de Brakenbergh, and William le Shephirde, from which it appears that the land in question was formerly held by Stephen Gery (*De Banco Roll*, 29 Edw. I., Michaelmas, no. 135, m. 12).

Ivo, is a grant of his manor of Gilling by Sir Ivo de Etton to his son Thomas, dated the Sunday before St. Barnabas the Apostle (June 9), 1314.

The latest reference to Sir Ivo de Etton which I have found is dated 1315, when he witnessed a charter of John de Hellebéckes, at Ampleforth.<sup>1</sup> Ivo de Etton, the Templar, the last preceptor of Templehirst, whose name appears in a list of the Templars arrested in Yorkshire in January, 1308,<sup>2</sup> may possibly have been a son of the lord of Gilling. A William de Etton is mentioned, in an action brought by John de Cotingham, as one of the defendants who with force and arms reaped the corn of the said John growing at Galmeton (now Ganton) in Rydale, and carried away that corn and other goods and chattels to the value of 20 marks.<sup>3</sup> This William may have been another son of Sir Ivo, but definite evidence is wanting. Elizabeth, daughter of Sir Ivo de Etton, married Thomas Fairfax of Walton, an alliance which, at the end of the fifteenth century, brought Gilling into the possession of the Fairfax family.

(10) THOMAS DE ETTON, son of Sir Ivo, was the first of three successive heads of the family who bore the same name. He appears in the *Nomina Villarum* of 1316 as holding in the vills of Gilling and South Holm.<sup>4</sup> In 1322 he granted to Adam de Gouthorp his meadow at Engthorn in the meadows of Gilling on the east side of the town, from the meadow which the lady Joan, mother of the said Thomas, holds as dower, to the Spitelgarth, to hold from the feast of the Apostles SS. Philip and James, 15 Edw. II. (May 1, 1322), till he has received fully eight "vesturas," for a certain sum (not named). By an indenture made at York in 10 Edw. III. (1336), Thomas (described as son of Sir Ivo de Etton, knight) received from his brother-in-law, Thomas Fairfax of Walton, a discharge for £50, half a year's rent payable to Thomas Fairfax out of Gilling.<sup>5</sup> Thomas de Etton occurs among the North Riding tenants who were required to contribute towards the expenses of the war in Scotland in 1338.<sup>6</sup> In 1343 Thomas de Etton and Agnes his wife brought an action for trespass against John son of Alan de Couton.<sup>7</sup> It would appear that Thomas was dead in 1349, and in 1358-9 his widow Agnes was the defendant in a suit with reference to three messuages and two bovates of land in East Couton.<sup>8</sup> We may reasonably attribute to this

<sup>1</sup> *Dodsworth MSS.*, vii. 179b.

<sup>2</sup> *Yorks. Archaeol. Journal*, ix. 284, 432. See also *Calendar of the Close Rolls*, 1307-1313, pp. 373, 384.

<sup>3</sup> *De Banco Roll*, 5 Ed. II., Michaelmas, no. 189, m. 282 *dorso*, and 6 Edw. II., Michaelmas, no. 195, m. 84.

<sup>4</sup> *Surtees Soc.*, vol. xlix. 321.

<sup>5</sup> In Mr. Fairfax-Cholmeley's collection.

<sup>6</sup> *York Corporation Papers*, ii. 1050.

<sup>7</sup> *Rot. Scotiae*, i. 529a.

<sup>8</sup> *Coram Rege Roll*, 17 Edw. III., Hilary, m. 64.

<sup>9</sup> *De Banco Roll*, 32 Edw. III., Michaelmas, no. 396, m. 197 *dorso*, and 33 Edw. III., Trinity, m. 128 *dorso*.

Thomas the shield of arms—*Barry argent and gules, on a canton sable a cross patonce or*—which appears in the painted glass of the nave clerestory of York Minster (middle light of window in easternmost bay next crossing, south side.)<sup>1</sup>

(11) THOMAS DE ETTON, son of the last-named Thomas, married his cousin Elizabeth, daughter of Thomas Fairfax and Elizabeth de Etton, and in 1349 he settled the manor of Gilling on the Fairfaxes, in the event of the failure of the direct line of the Ettons.<sup>2</sup> A few days afterwards the manor of Walton and lands in Thorparch and Acaster Malbis were settled on Thomas Fairfax and Elizabeth his wife and their sons, with remainder to Thomas de Etton and Elizabeth his wife, Thomas their son, &c.<sup>3</sup> It will be noticed that these settlements were executed in the year of the terrible Black Death. In 1359 Thomas de Etton appears on a commission of array for Ryedale,<sup>4</sup> and in 1360 he quitclaimed tenements in Ampleforth to the abbot and convent of Byland.<sup>5</sup> In 1374 he obtained a licence to impark 1,000 acres of land and wood at Gilling.<sup>6</sup> On May 6, 1378 (1 Ric. II.), Thomas de Colvile, of Coxwold, made a grant of pasture at Yearsley to Thomas de Etton and Thomas his son, for enlarging their park.<sup>7</sup> Thomas de Etton is mentioned in 1378 (Feb. 16) as having been removed from the commission of the peace for some reason.<sup>8</sup> On Sept. 30, 1378, Thomas de Etton the elder witnessed a release by his neighbour, John de la Ryver of Brandsby,<sup>9</sup> and on May 20, 1380, Thomas de Etton senior is the first of the witnesses to a confirmation by John de Colevyll.<sup>10</sup> This is the latest mention of him which I have found.

In the wall of the south aisle of Gilling Church is a monumental recess, with a cusped ogee arch, which may with probability be attributed to this Thomas de Etton. On the wall on either side of and above the arch are three shields, carved in stone, which are

<sup>1</sup> For a drawing of this shield, see *The Heraldry of York Minster*, by the Very Rev. A. P. Purey-Cust, vol. ii., plate 10. In the text (p. 422) it is blazoned as *Barry arg. and sa., &c.*, and the bars are now certainly nearly black; but, as the lowest bar is clearly red, the coat was no doubt *Barry arg. and gu., &c.* Winston calls this a modern copy of an old coat, but it has not that appearance, as seen from the floor of the church.

<sup>2</sup> This settlement, which is in Mr. Fairfax-Cholmeley's collection, is dated at Gilling, Aug. 10, 23 Edw. III. It is quoted in Thomas Fairfax's petition for the restitution of Gilling in 1492 (*York Corporation Papers*, ii. 1017, printed in Appendix VII., *post*). The second of the

two accompanying pedigrees of the Etton family is principally based on this settlement and on Thomas Fairfax's petition.

<sup>3</sup> *Dodsworth MSS.*, cxxxix. 103b, from Lord Fairfax's evidences. The settlement is printed in Appendix III., *post*.

<sup>4</sup> *Rymer's Fœdera* (Record ed.), iii. 458.

<sup>5</sup> *Dodsworth MSS.*, xciv. 51b.

<sup>6</sup> *Patent Roll*, 48 Edw. III., pt. 2, m. 20.

<sup>7</sup> This grant is in Mr. Fairfax-Cholmeley's collection.

<sup>8</sup> *Calendar of Patent Rolls, Richard II., 1377-1381*, p. 129.

<sup>9</sup> *Calendar of Ancient Deeds*, i. A 374.

<sup>10</sup> *Historical Manuscripts Commission Report*, 1903 [Cd. 932], p. 8.

now much defaced, but on two of them the Etton arms may still be distinguished.

(12) THOMAS DE ETTON, son of the Thomas last mentioned, married Isabel, sister and heir of John Dayvell, and widow of Richard Wilsthorp.<sup>1</sup> In 1358 we find the name of Thomas de Etton, "armiger," in a warrant for the payment of various sums to Sir Roger de Beauchamp and forty-one others, for the custody of King John of France at the Savoy,<sup>2</sup> where he was in captivity after his surrender to the Black Prince at Poitiers. It is difficult to distinguish between Thomas the father and Thomas the son, but it is most probable that both this and the entry next quoted refer to the son. On June 12, 1369, letters of protection were granted by the King to Thomas de Etton, who was about to set out in the army of the King, in the retinue of John, Duke of Lancaster, to parts beyond the sea.<sup>3</sup> The expedition in question was the Duke of Lancaster's campaign in the Pays de Caux, in the autumn of 1369. There is a long list of letters of protection for this expedition, including the names of John de Nevill, Robert de Nevill of Hornby, Thomas de Claxton, and several well-known Yorkshire names. It has been asserted that Thomas de Etton distinguished himself under the Black Prince at the Battle of Najara (April 3, 1367). This statement is apparently based on a passage in the Herald Chandos' poem, the Black Prince, which relates "Coment le duc de Lancastre et monsieur Johan Chandos passerent en l'avant-garde, et là furent fait chivalers" (on the field before the battle), "et le duc conforta très-noblement ses gentz":—

"De Lancastre li noble ducs,  
Qui moult eut en lui de vertus,  
Et Chaundos, le bon chivaler,  
Fist là chivalers sanz targer  
Curson, Priour et Elitoun," &c.<sup>4</sup>

Both M. Michel and the earlier editor of this poem<sup>5</sup> are inclined to identify "Elitoun" with the Thomas de Etton to whom letters of protection were granted in 1369. It seems very doubtful, however, whether Etton would be rendered "Elitoun," and I have nowhere seen Thomas de Etton described as a knight. In the will of John

<sup>1</sup> *Dodsworth MSS.*, cxxxix. 122. An indenture (marriage settlement) dated at Gilling on the Thursday after the feast of SS. Simon and Jude, 28 Edw. III. (Oct. 30, 1354), between John Dayvell and Thomas de Etton, the father of the Thomas who married Isabel. John de Wilsthorp, son of Isabel, married Elizabeth, daughter of Thomas de Etton.

<sup>2</sup> *Fadera*, iii. 413, from *Liberate Roll*, 32 Edw. III., m. 1.

<sup>3</sup> *Ibid.*, iii. 871, from *French Roll*, 43 Edw. III., m. 15.

<sup>4</sup> *Le Prince Noir, Poème du Héraut d'armes Chandos*. Ed. Francisque-Michel, 1883, lines 3221-3225.

<sup>5</sup> H. O. Coxe, Roxburgh Club, 1842.

lord Nevill of Raby (Aug. 31, 1386)<sup>1</sup> we find bequests to Thomas de Etton of a gilt-covered cup and fifty marks, to Thomas Fairfax a gilt cup and twenty pounds, and to John Fairfax of a gilt cup with a laver. The executors named in this will are John Fairfax, rector of the church of Prestcote (Thomas de Etton's uncle), Robert de Nevill of Hornby, Thomas de Etton, Robert de Coverham, and Thomas de Claxton. It is interesting to notice that the names of John de Nevill and three of the five executors of his will occur in the list of letters of protection for John of Gaunt's expedition in 1369, and we may fairly conclude that they were companions in arms in the French wars. We may even surmise that plunder from France may have contributed towards the cost of rebuilding Gilling, for it is to this Thomas de Etton that I am inclined to attribute the basement of the castle, which is practically all that remains of the mediæval house.

In 1376 the custody of the free chace of Kirkby Malasart and Nidderdale was confirmed to Thomas de Etton junior.<sup>2</sup> In 1395 he is mentioned as a justice of oyer and terminer.<sup>3</sup> His uncle, John Fairfax, who was successively rector of Hawnby, Gilling and Prestcote, by his will, dated June 7, 1393 (proved June 15, 1393), bequeaths to Thomas de Etton, his kinsman, a mazer with a cover and foot of silver gilt, marked with divers letters B; to Sir John de Etton, knight, a silver-covered cup; to Isabella, wife of Thomas de Etton, a blue gown furred with minever; and to William de Etton, 40s.; he also remitted to Sir John de Etton a debt of eight marks of silver which he owed to him.<sup>4</sup> A grant by Thomas de Etton, lord of Gilling, to David de Rouclyf, knight, John de Pykeryng of Oswaldkirk,<sup>5</sup> and William Sproxton, dated St. Benedict the abbot, 3 Hen. IV., is the latest reference to the last Thomas which I have found. This grant, which is in Mr. Fairfax-Cholmeley's collection, has a fine seal bearing the Etton arms.

(13) SIR JOHN DE ETTON, knight, was the eldest son of the last-mentioned Thomas. He married (before 1388) Katherine, younger

<sup>1</sup> *Wills and Inventories* (Surtees Soc.), i. 38.

<sup>2</sup> *Patent Roll*, 50 Edw. III., part 1, m. 20, May 28 (1376). Confirmation at the instance of Thomas de Etton, junior, for which half a mark was paid, of a grant by William de Nessefeld of the custody (*custodie*) of the free chace and warren of Kirkby Malasart and Nidderdale, with the fees belonging to the office of the said custody, with an annual rent (*redditu*) of ten marks from the manor of Hovyngham payable half-yearly at Whitsuntide and Martinmas, for keeping the

said chace and warren, to the said Thomas de Etton for life, remainders in tail to Henry, son of the said William de Nessefeld and Margaret, Henry's sister, remainder to the heirs and assigns of Thomas de Etton in fee.

<sup>3</sup> *Coram Rege Roll*, Mich., 19 Ric. II., m. 10.

<sup>4</sup> *Test. Ebor.* (Surtees Soc.), i. 188, 189.

<sup>5</sup> John Fairfax, parson of Prestcote, granted the manor of Oswaldkirk to John Pikerling in 16 Ric. II.; the grant was witnessed by Sir John de Etton (*Dods-worth MSS.*, clv. 113).

daughter and coheir of William de Everingham, and coheir of her grandfather, Adam de Everingham.<sup>1</sup> In 1391 (June 20) licence was given to Ralph lord Nevill, Sir Thomas Colville, Sir John Etton and four others, to perform feats of arms with certain Scots, John lord de Roos being appointed judge thereof.<sup>2</sup> Sir John de Etton was sheriff of Yorkshire in 1406 and 1412, and in 1415 he was appointed warden of Roxburgh castle.<sup>3</sup> His name appears on commissions of array for Yorkshire in 1415 and 1418.<sup>4</sup> In a roll of arms *temp.* Richard II. (c. 1392-1397), Monsr. de Etton bears *Barry of twelve argent and gules, a label of three points azure, over all a canton sable charged with a cross patonce or.*<sup>5</sup> In Atkinson's roll "he be'rith gowlis and sylu' berele, a quart' sabill' w<sup>t</sup> a crosse paty golde."<sup>6</sup> He died on March 25, 1433. His will<sup>7</sup> and *Inq. post mortem*<sup>8</sup> will be found in the appendix to this paper, and upon these the latter part of the second Etton pedigree is based. His eldest son, Miles de Etton, died during his father's lifetime, leaving four daughters.

(14) IVO DE ETTON, the second son of Sir John de Etton, was his heir. By a fine levied in 1438 the manor of Gilling in Rydale was settled on Ivo Etton, esquire, and Joan his wife, in tail male, with remainder to the heirs male of John Etton, knight, remainder to the right heirs of the said John Etton in fee.<sup>9</sup> On March 1, 16 Hen. VI. (1437-8), Ivo Etton and Joan his wife gave a power of attorney to John Revaux, chaplain, and Robert Scawton to take seisin from Richard Newton, serjeant-at-law, and others, the plaintiffs in the above fine<sup>10</sup> of the manor of Gilling. The seal attached to this power of attorney, which is in Mr. Fairfax-Cholmeley's collection, bears the Etton arms. Ivo died without issue. In his brother Alexander, a clerk, the male line of the Ettons of Gilling came to an end. In August, 1446, Alexander exchanged the rectory of Laxton, Notts., for the rectory of Gilling, with Thomas Tanfield.<sup>11</sup> On the eve of St. Thomas the Apostle, 25 Hen. VI. (Dec. 20, 1446), he granted the manor of Gilling and all his lands in Gilling and elsewhere in the county of York which had belonged to his father John Etton, knight, to Thomas Wythom, Thomas Delaryver and John Laton of Sproxton.<sup>12</sup>

<sup>1</sup> She was 23 years of age at the death of her grandfather, Adam de Everingham, Feb. 8, 1388 (*Inq. p. m.*, 11 Ric. II.).

<sup>2</sup> *Fadera*, orig. ed., vii. 703.

<sup>3</sup> *Rot. Scotiae*, ii. 214b.

<sup>4</sup> *Fadera*, orig. ed., ix. 254, 569 (*Pat.*, 3 Hen. V., part 2, m. 37d, and 6 Hen. V., m. 31d).

<sup>5</sup> *Roll of Richard II.*, ed. T. Willement, 1834, no. 409.

<sup>6</sup> *Atkinson's Roll of Arms*, fo. 107b (St. J. of Yetton'); in Marshall's *Genealogist*, i. 227.

<sup>7</sup> Appendix IV., *post.*

<sup>8</sup> Appendix V., *post.*

<sup>9</sup> *Feet of Fines, Yorkshire*, 16 Hen. VI., no. 14.

<sup>10</sup> The other plaintiffs were John Vampage, John Langley and John Burdet, Thomas Faukes and Thomas Clase, clerks.

<sup>11</sup> *Reg. Kempe*, 58a, b.

<sup>12</sup> *York Corporation Papers*, ii. 918.

By a fine dated in 1451, the manors of Gilling and Southolme were settled on Alexander de Etton, clerk, for life, with remainder to Thomas Nevill, knight, and others and to Nevill's heirs.<sup>1</sup> Apparently Alexander de Etton did not love his successors the Fairfaxes, for he very effectually defeated their rights for some time by enfeofing a man of such wealth and importance as Sir Thomas Nevill.

This Sir Thomas Nevill was a younger brother of Ralph Nevill, the second Earl of Westmorland. It will be remembered that the first earl left the larger part of his Yorkshire possessions as jointure to his second wife (and widow), Joan of Beaufort, an arrangement which caused great dissatisfaction to his children by his first wife, Margaret Stafford, and ultimately resulted in the complete alienation of the elder from the younger house of Nevill. In the quarrel between them, which was at its height in 1435, we find Thomas siding with his brothers, Earl Ralph and Sir John Nevill, against Joan the Dowager-Countess and her son Richard, Earl of Salisbury. When civil war broke out twenty years later, the two houses of Nevill took opposite sides, and, like his brothers, Sir Thomas and his son Humphrey were found among the most active adherents of the Lancastrian cause. After the disastrous defeat at Towton, a party of Lancastrians, led by Lord Roos and Sir John Fortescu, and guided by the two Nevills, Thomas and Humphrey, attempted to raise the county of Durham, and at Ryton and Brancepeth "with standardes and gyturons unrolled, rered werre ayenst oure Lord Kyng Edward," but on June 26 they were defeated and driven back by Warwick's forces. Both Thomas and Humphrey Nevill were included in the act of attainder passed by Parliament on Nov. 4, 1461. Sir Thomas Nevill seems to have died about this time, but Humphrey escaped from the Tower, and, though he was again in arms in Northumberland, he was afterwards pardoned by King Edward.<sup>2</sup> But when the Lancastrians again rose in the North at the beginning of 1464, Sir Humphrey Nevill was once more to the front, and fell on his cousin Montagu's escort as he passed through a wood near Newcastle, Montagu himself narrowly escaping destruction. Humphrey escaped from the defeat at Hexham,<sup>3</sup> and took refuge with Sir Ralph Grey at Bamborough. Here Warwick summoned them to surrender, offering free pardon to the whole garrison, except Sir Ralph Grey and Sir Humphrey Nevill,<sup>4</sup> "thoo tweyn to be oute of the Kinges grace,

<sup>1</sup> *Fet of Fines, Yorkshire*, 30 Hen. VI., no. 89. *De Banco Roll*, 30 Hen. VI., Mich., m. 544.

<sup>2</sup> See extracts from Rolls of Parliament in Appendix VI., *post*. Other particulars

are taken from *Warwick the Kingmaker*, by C. W. Oman, 1891.

<sup>3</sup> *Hall's Chronicle*, ed. 1809, p. 260.

<sup>4</sup> Oman's *Warwick*, 157.

without any redempcion.”<sup>1</sup> But the desperate Lancastrians were determined not to give up their lives without a struggle. Warwick and his guns, however, were too strong for them. The castle was taken by assault, and Sir Ralph Grey was captured alive, condemned by Tiptoft at Doncaster, and beheaded. Sir Humphrey Nevill once more escaped, and after spending five years in hiding in Yorkshire, he was again ready for the fray when Robin of Redesdale rose in 1469. This time, however, he was not to escape his kinsman. On the 29th of September he was “takene by the Erle of Warwyke, and behedede at Yorke, the Kyng beynge present.”<sup>2</sup>

With Sir Humphrey’s attainder ends the brief possession of Gilling by the Nevills.<sup>3</sup> The jurors who took the inquisition in 1489, when Thomas Fairfax claimed Gilling,<sup>4</sup> found that Sir Edmund Hastings had possessed the manor of Gilling from Sir Humphrey Nevill’s attainder in 1461 to the accession of Henry VII., and that Sir Charles Somerset had held it from the latter time to the date of the inquisition, but *quo jure* they knew not. Sir Edmund Hastings was the escheator who took Sir Humphrey Nevill’s *Inq. p. m.* in 1463. Sir Charles Somerset was an illegitimate son of Henry Beaufort, Duke of Somerset; he came into favour on the accession of Henry VII., and was afterwards created Earl of Worcester.

As we have already seen, the manor of Gilling was settled in 1349 by Thomas de Etton on his own family, with remainder to Thomas Fairfax and his wife Elizabeth and their heirs. In 1489 Thomas Fairfax of Walton proved his descent from Thomas and Elizabeth Fairfax, and claimed the restitution of Gilling.<sup>5</sup> His claim was confirmed by an inquisition taken Aug. 1, 1492, and Gilling passed into the possession of the Fairfax family.

It is unnecessary to deal here with the earlier genealogy of the Fairfaxes, as the subject has been exhausted elsewhere.<sup>6</sup> They settled at Walton, near Thorparch, in the middle of the thirteenth century, and the claimant to Gilling was the head of the senior line of Walton. His uncle, Sir Guy Fairfax, was the founder of the junior lines of Steeton, Denton and Nunappleton, and was the ancestor of “the great Lord Fairfax,” the Parliamentary General. Thomas Fairfax was made Knight of the Bath at the creation of Henry, Duke of York,

<sup>1</sup> MS. account of the siege of Bam-borough, in College of Arms.

<sup>2</sup> *Warkworth’s Chronicle* (Camden Soc.), p. 7.

<sup>3</sup> For his *Inq. p. m.* and attainder, see Appendix VI., *post*.

<sup>4</sup> See Appendix VII., *post*.

<sup>5</sup> His petition, &c., is printed in Appendix VII., *post*, from the *York Corporation Papers*, vol. ii.

<sup>6</sup> J. Gough Nichols’ *Herald and Genealogist*, vii. 145, contains a full and very careful Fairfax pedigree, compiled by Mr. Clements R. Markham, with corrections by Mr. R. H. Skaife.



on the eve of All Saints, 1494.<sup>1</sup> He married<sup>2</sup> Elizabeth, daughter of Sir Robert Sherburne, of Stonyhurst, and died on March 31, 1505. An abstract of his *Inq. p. m.* is printed at the end of this paper.<sup>3</sup>

Sir Thomas Fairfax was succeeded by his eldest son, also named Thomas. This Thomas took part in Henry VIII.'s expedition to Flanders in 1513, and when the King entered Tournay on Sept. 25, the day after its surrender, Thomas Fairfax was one of the knights made "after the King came from mass, under his banner in the church."<sup>4</sup> He married Anne, daughter of Sir William Gascoigne of Gawthorpe by Lady Margaret Percy, daughter of the third Earl of Northumberland. He died on December 1, 1520. His will has already been printed,<sup>5</sup> and an abstract of his *Inq. p. m.* is given at the end of this paper.<sup>6</sup>

Sir Thomas was succeeded by his eldest son, Sir Nicholas Fairfax, who is decidedly the most interesting figure of the sixteenth century Fairfaxes of the elder line. Although he seems to have done little or no building at Gilling, his career exhibits so much of interest in itself, and is so typical of the attitude of the majority of Yorkshire country gentlemen towards the religious changes of the time, that it may be well to relate what is known of him. The name of Fairfax, too, is associated in the popular mind so exclusively with the Puritan revolution of the seventeenth century, that it will not be without interest to see how the head of the family a century earlier took an active part in opposing Henry's religious innovations, and even showed some sympathy with the movements in favour of the "old faith" in Elizabeth's reign.

At the time of his father's death, in 1520, Nicholas Fairfax was barely twenty-two years of age. His first wife and the mother of his thirteen children was Jane, daughter of Guy Palmes, serjeant-at-law. When Guy Palmes made his will, on Nov. 13, 1516, he had already "bought of Sir Thomas Farefax k<sup>t</sup> the mariage of Nicholas his sone and heire apparant," and he provides that, if the covenants are not performed by Sir Thomas before the Easter following, his daughter

<sup>1</sup> Metcalfe's *Book of Knights* (Harleian Soc.), pp. 24, 26. His arms are given as—Quarterly: 1 and 4, *Argent, a lion rampant sable, debriused by three bars-gemelles gules.* 2 and 3, *Argent, a chevron between three hind's heads sable.* Crest—*A lion's head erased sable, gorged with three bars-gemelles gules.*

<sup>2</sup> Marriage licence dated Aug. 27, 1460. *Reg. W. Booth*, 141 (*Test. Ebor.*, iii. 335).  
<sup>3</sup> Appendix VIII., *post.*

<sup>4</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, i. 4468 (p. 676).

Metcalfe's *Book of Knights*, pp. 47, 48. His arms are given as—Quarterly of six: 1 and 6, same as 1 and 4 above. 2, same as 2 and 3 above. 3, *Barry of eight argent and gules, on a canton sable a cross patonce or.* 4, *Or, a bend azure.* 5, *Argent, a chevron between three martlets sable.* Crest—*A goat's head erased argent, armed and ducally gorged or, debriused by three bars-gemelles gules.* "Alibi: coupepe in originali."

<sup>5</sup> *Test. Ebor.* (Surtees Soc.), v. 121.

<sup>6</sup> Appendix IX., *post.*

Jane shall be suitably married by his executors, and shall have £200 to her marriage.<sup>1</sup> Nicholas must therefore have married when he was about eighteen years old. He was sheriff of Yorkshire for the first time in 1531, and his name frequently occurs in Yorkshire commissions about this time.<sup>2</sup> On June 17, 1536, Sir William Gascoigne wrote to Thomas Cromwell, begging his favour "touching the matter between Sir Nich. Fairfax, my nephew, and me. He claims of me 5 marks rent of my mills called Thorparche, &c., which I paid his grandfather 40 years ago."<sup>3</sup> A few months later, however, both uncle and nephew were to be occupied with much more important matters, for the rising known as the "Pilgrimage of Grace" had commenced.

The suppression of the monasteries, although at first limited to those under £200 a year in value, was such a sweeping act as could not but produce the most serious disturbance in the social life of the country.<sup>4</sup> In the North of England the suppressions were regarded with a spirit of indignation which did not venture to express itself elsewhere. The armed resistance of the canons of Hexham to the suppression of their monastery (28 Sept., 1536) was the first warning of the coming storm. The rising in Lincolnshire commenced on the 3rd October, 1536, and the Lincolnshire beacons were fired on the following day. On the 8th October Lord Darcy wrote from Pomfret to his son, Sir Arthur, to warn Shrewsbury that "the country, the city of York and all, leans clearly to join with the commons."<sup>5</sup> On the 9th October the rising in Yorkshire began with a great assembly in the East Riding, when Robert Aske took the lead, and desired all men to assemble next day on Skipwith Moor, to take oath to be true to "the king's issue and the noble blood," to preserve the Church from spoil and be true to the common wealth.<sup>6</sup> On the 13th October the King, now thoroughly alarmed, wrote to Lord Darcy that he "marvels to hear of an unlawful assembly in Holderness and Holdenshire still unrepressed; and that, if as reported, Darcy was forced to fly to Pomfret Castle with 12 horses, he has not informed the King. Has written to the gentlemen thereabouts to muster their forces, and also to Sir Arthur Darcy (as Lord Darcy

<sup>1</sup> *Test. Ebor.*, v. 80. Will proved Dec. 4, 1516.

<sup>2</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. iv., nos. 3380, 3822, 6803; vol. vi., nos. 1158, 1219; vol. vii., no. 1352; vol. x., no. 777.

<sup>3</sup> *Ibid.*, vol. x., no. 1152.

<sup>4</sup> The best account of the Pilgrimage of Grace is contained in Mr. James Gairdner's admirable prefaces to the *Letters and Papers, Foreign and Domestic,*

*Hen. VIII.*, vol. xi. and vol. xii., part 1. I have only attempted here to extract from these prefaces and from the papers themselves sufficient to elucidate the part played by Sir Nicholas Fairfax in the rising. All references to vol. xii. are to the first part, unless otherwise stated.

<sup>5</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xi., no. 605.

<sup>6</sup> *Ibid.*, vol. xi., no. 622.

may not be able to lead the force) to repress the traitors as he hopes to be reported a loyal servant."<sup>1</sup> The King's letter to the Yorkshire gentlemen commands them to aid in repressing "certain traitors lately assembled in those parts, that the traitors may either suffer by dint of sword or else so yield, with halts about their necks, that the captains and ringleaders may be committed to prison to await the determination of the law."<sup>2</sup> Sir Nicholas Fairfax was one of the gentlemen to whom this letter was addressed, but he was much more inclined to join the traitors than to obey the King's command. Indeed, his connection with the rising began within a few days from the date of this letter, when his kinsman, Sir Thomas Percy,<sup>3</sup> "went to the muster at Malton, where he sent for Sir Nich. Farfox. There were there about 10,000. Aske commanded him (Sir Thomas Percy) to the siege of York, but, York being won, countermanded him to Hull. Were at Seamer on their way when they heard Hull was won, and were countermanded to Pomfret, but when they arrived it was already won by Aske's company."<sup>4</sup> The rebels entered York on Monday, the 16th October,<sup>5</sup> Sir Thomas Percy was at Seamer on the 19th,<sup>6</sup> and 200 rebels had entered Hull before the 22nd.<sup>7</sup> William Stapulton, in his account of the rebellion, says that on Saturday, the 21st October, he "came to York, and heard how Sir Thomas Percy and Sir Nicholas Fayerfax, with the abbot of St. Mary's, had gone towards Pomfret with a goodly band the same day."<sup>8</sup> "A brief remembrance of the demeanour of Sir Thomas Percy, knt.," relates "how he made as many men as he could in the East Riding; how gorgeously he rode through York, with feathers trimmed, which shows he did nothing constrained but of a willing malicious stomach against the King."<sup>9</sup> On the previous day (Oct. 20) Lord Darcy had delivered Pomfret into the hands of the rebels, and on the 21st Thomas Miller, Lancaster herald, made his unsuccessful attempt to secure the submission of the malcontents at Pomfret. Meanwhile, the duke of Norfolk was marching northwards against the rebels, and on the 25th October he writes the King: "I beg you take in good part whatever I may promise the rebels; for surely I shall observe no part thereof, for any respect of that other might call mine honor dystayned, longer than I and my company with the lord

<sup>1</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xi., no. 687.

<sup>2</sup> *Ibid.*, vol. xi., no. 688.

<sup>3</sup> Sir Nicholas Fairfax was (on his mother's side) the great-grandson of the third Earl of Northumberland, who was slain at Towton. Sir Thomas Percy, the second son of the fifth earl, was also great-grandson of the third earl.

<sup>4</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xii., no. 393.

<sup>5</sup> *Ibid.*, vol. xi., no. 759.

<sup>6</sup> *Ibid.*, vol. xi., no. 792.

<sup>7</sup> *Ibid.*, vol. xi., no. 834.

<sup>8</sup> *Ibid.*, vol. xii., no. 392 (p. 191).

<sup>9</sup> *Ibid.*, vol. xii., no. 1090 (p. 504).

Marquess may be assembled together; for I think no promise made to serve you can dystayne me, who would rather be torn to pieces than show cowardice or disloyalty.”<sup>1</sup> “But on reaching Doncaster he was met by a deputation from the lords and gentlemen at Pomfret, who soon succeeded in convincing him that the rebels were much more capable of setting him and the royal forces at defiance than he and the royal forces were to defy them. There was nothing for it but to make an agreement with the rebels (27 Oct.), publish the King’s pardon, and dismiss them to their homes. A temporary settlement was thus effected till the grievances of the commons obtained a full and proper hearing before the King in Council.”<sup>2</sup> The duke of Norfolk then returned to Court, Sir Ralph Ellerker and Robert Bowes going with him under safe conduct to state the demands of the rebels, and to take back the King’s answer. They reached Windsor on the 2nd November, and the King issued his answer to the demands of the rebels, offering, “if we find you penitent, to grant you all letters of pardon on your delivering to us ten such ringleaders of this rebellion as we shall assign to you.”<sup>3</sup> The malcontents, dissatisfied with the detention of Ellerker and Bowes, had arranged to meet at York on the 11th November, but the gathering was countermanded on receipt of letters from the duke of Norfolk and from Ellerker and Bowes themselves.<sup>4</sup> On the return of the latter, a council was summoned at York to consider whether the King’s terms should be accepted. This council was held on the 22nd November,<sup>5</sup> and it was apparently at this meeting that “Robert Bowes moved that my said lord (Lord Privy Seal) had discharged him and Sir Ralph Ellerker of the stay of Dent and Sedbar and undertaken it himself. On this Sir Nic. Fairfax moved that, notwithstanding their promise to the King, these two parishes might rise and raise both Lancashire and Cheshire.”<sup>6</sup> The passage in George Lumley’s examination, which gives an account of his visit to York, also seems to refer to this time. Lumley says that “in York, at Sir George Lawson’s house, he met Sir Thos. Percy, Sir Nic. Ferfox, Sir Oswald Wolsethorpe, and others; and expected to meet his father. Heard Percy praise the abbot of Byrlington for sending them two brethren, ‘the tallest men that he saw.’ Ferfox said as it was a spiritual matter all churchmen should go forth in person. Ferfox therefore went to the abbot of St. Mary’s,” and Lumley, at Sir Thos.

<sup>1</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xi., no. 864.

<sup>2</sup> *Ibid.*, vol. xi., preface, p. xxxvii., and nos. 901, 902.

<sup>3</sup> *Ibid.*, vol. xi., no. 957.

<sup>4</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xi., preface, p. xli.

<sup>5</sup> *Ibid.*, vol. xi., no. 1135.

<sup>6</sup> *Ibid.*, vol. xii., no. 392 (p. 194).

Percy's command, went to Newburgh, Byland, Rievaulx, Whitby, Malton, and Kirkham, sending his servant to Mount Grace, Bridlington, and Guisborough. "This was to move the abbots or priors and two brethren from each to come forward with their best crosses."<sup>1</sup> Sir Nicholas Fairfax's visit to the abbot of St. Mary's is also mentioned in Sir Thos. Percy's examination.<sup>2</sup> Lancelot Colyns, the Treasurer of York, stated in his examination that he had made payments to Sir Nicholas Fairfax and others, that he (Colyns) might be allowed to tarry at home.<sup>3</sup>

On the 2nd December the malcontents held a great gathering at Pomfret, where, "besides a considerable muster of lords and laymen, the Northern clergy sat in a sort of convocation, and the Archbishop of York preached a sermon."<sup>4</sup> Robert Aske's statement mentions six peers, twenty-four knights, and twenty-three gentlemen as being present at this meeting, and among them are Sir Nicholas Fairfax, Sir William Fairfax (of Steeton), Sir George Darcy (whose daughter Agnes had married Sir Nicholas' eldest son), Sir Henry Gascoigne (Sir Nicholas' cousin), and Mr. Palmes (probably cousin of Sir Nicholas' wife).<sup>5</sup> At this gathering the malcontents agreed on the articles to be submitted to the duke of Norfolk at the meeting at Doncaster, which was held three days afterwards (Dec. 5). Aske's statement fully describes the negotiations at Doncaster, which ended in Norfolk's granting, on behalf of the King, a full pardon to the rebels, without any reservation as to the ringleaders. "And after reasonable answer to other demands, the said Aske making his obeisance and kneeling desired the duke and lords of his part to request the lords of the North parts not to name him captain any longer; which being promised, he pulled off his badge and crosses with the Five Wounds, and in like manner did all the others there present, saying, 'We will wear no badge nor sign but the badge of our sovereign lord.'"<sup>6</sup>

Ten days after the meeting at Doncaster the King wrote to his "trusty and well-beloved subject," Robert Aske, commanding him to go up secretly to see him.<sup>7</sup> Aske went, under safe conduct to return before Twelfth day, and was detained in London to the extreme limit of the term. He returned to Yorkshire on the 8th January, 1537, and wrote to Darcy—"the King is gracious sovereign lord to me, and has affirmed his liberal pardon to all the North, by mouth."<sup>8</sup> On Christmas Day, 1536, the earl of Northumberland wrote to

<sup>1</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xii., no. 369 (p. 164).

<sup>2</sup> *Ibid.*, vol. xii., no. 393.

<sup>3</sup> *Ibid.*, vol. xii., no. 1018.

<sup>4</sup> *Ibid.*, vol. xi., preface, p. xli.

<sup>5</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xii., no. 6 (p. 7).

<sup>6</sup> *Ibid.*, vol. xii., no. 6 (p. 8).

<sup>7</sup> *Ibid.*, vol. xi., no. 1306.

<sup>8</sup> *Ibid.*, vol. xii., no. 43.

Cromwell—"my cousin Darcy is going up to the King. They had so confettered together that if there had been a foughten field, the King would have proved their true hearts. He desires credence for him and Sir Nic. Fairfax of all the occurrences at that day and since, and as to the affairs in Northumberland."<sup>1</sup> Sir Nicholas succeeded in making his peace with the King, and on the 18th January, 1537, he obtained from Henry VIII., "in earth supreme head of the Church of England," a pardon for all treasons committed before the 10th December, 1536.<sup>2</sup> About this time the rebellion in Yorkshire broke out again, under Sir Francis Bigod, but Fairfax took no part in it; evidently he had seen enough of treason, and was content to have narrowly escaped the fate which was soon to befall his leaders. The rising quickly collapsed, and the King set to work to get Aske and the other leaders into his power. "He had been examining all the evidence sent up to him in the spirit of a detective policeman, and writing marginal comments thereon for the instruction of Norfolk."<sup>3</sup> Lord Darcy, Sir Robert Constable, and Robert Aske were arrested in April.<sup>4</sup> On the 8th May Norfolk writes from Sheriff Hutton to Cromwell, acknowledging the King's letters and Cromwell's, and the lists of gentlemen to be indicted; he supposes the two bills are for two inquests, that one may not know what the other does. He is so well with gentlemen there that he doubts not to put upon the quest some that have married lord Darcy's son's daughters and Sir Robert Constable's. He will put John Aske upon it, eldest brother to Robert Aske. He assures Cromwell all will be found according to the King's pleasure, and he adds—"My good Lord, I will not spare to put the best friends these men have upon one of the inquests to prove their affections, whether they will rather serve his Majesty truly and frankly in this matter or else to favour their friends. And if they will not find, then they may have thanks according to their cankered hearts. And as for t'other inquest, I will appoint such that I shall no more doubt than of myself."<sup>5</sup> On the 9th May lord Darcy, Sir Robert Constable, Sir Francis Bigod, Sir Thomas Percy, Robert Aske, and others were tried at York. On the following day Norfolk wrote to the King—"yesterday, at my being at York, was the greatest assembly of the gentlemen of the shire there had been seen these 40 years, none of any great substance lacking that was able to ride; of whom I appointed two quests, 20

<sup>1</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xi., no. 1368.

<sup>2</sup> The pardon is in Mr. Fairfax-Cholmeley's collection.

<sup>3</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xii., part i., preface, p. xxix.

<sup>4</sup> *Ibid.*, vol. xii., no. 863.

<sup>5</sup> *Ibid.*, vol. xii., no. 1156.

of the one and 21 of the other,<sup>1</sup> and after declaring my mind to them, made them go to several places. They shortly returned and found the two bills of indictments sent from your Highness' Council *billa vera*, without putting out or adding a word." Norfolk sends to the King the names of the gentlemen that were upon the inquests. "They were not only of the greatest substance that ever I saw pass any indictment, but with very few exceptions they are very near of kin to those indicted. They have shown themselves true subjects, and have deserved the King's thanks." The jury lists have remarks in the margin, in Norfolk's hand, on the connection of some of them with the chiefs of the rebellion. In one of the lists the name of Sir Nich. Fairfax occurs, with the note—"his son hath married Sir George Darcy's daughter."<sup>2</sup> Sir Nicholas' name also occurs on a grand jury panel for the trial of lords Darcy and Hussey in London on the 15th May.<sup>3</sup> The leaders were of course all condemned, and they were executed in the latter part of May and during the following month. In June Norfolk sent to Cromwell a list of proposed pensioners, in which the following names appear:—Sir Ralph Ellerker, 40*l.*; Sir George Darcy, 20*l.*; Robert Bowes, 20*l.*; and Sir Nich. Fairfax, 20*l.*<sup>4</sup> The acceptance of this blood-money must have completed the humiliation of these "true subjects."

The next thirty years of Sir Nicholas Fairfax's life appear to have been comparatively uneventful, though after the Pilgrimage of Grace Cromwell's spies seem to have kept a watch on his doings. On the 2nd August, 1538, Christopher Jenney wrote to Cromwell from York—"there was a little business between Sir Nicholas Fairefax and Fox, but we will know the truth before our departing from the North, and I shall show your lordship thereof at my next waiting upon you."<sup>5</sup> In 1539, and also in 1561 and 1564, Sir Nicholas sat on the Council of the North,<sup>6</sup> which was established after the Pilgrimage of Grace to keep the people in order, and to execute justice in the King's name. He sat in Parliament for Scarborough in 33 Hen. VIII., and for the county in 5 Elizabeth. He was sheriff of Yorkshire again in 1544 and 1561. In 1565 he had the custody of the lands of St. Mary's Abbey, York.<sup>7</sup>

<sup>1</sup> Of the 21 jurors in the first list, nine are mentioned in Robert Aske's statement as being present at the gathering at Pomfret on Dec. 2, and of the 20 jurors in the second list, 10 were at Pomfret.

<sup>2</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xii., no. 1172.

<sup>3</sup> *Ibid.*, vol. xii., no. 1207 (3). See also *Yorks. Archæol. Journal*, xi. 266-270, for an account of these trials.

<sup>4</sup> *Letters and Papers, Foreign and Domestic, Hen. VIII.*, vol. xii., part ii., no. 102 (5). Endorsed "Sums of money given to divers gentlemen of the North."

<sup>5</sup> *Ibid.*, vol. xiii., part i., No. 20.

<sup>6</sup> Drake's *Eboracum*, 368, &c.

<sup>7</sup> *Calendar of State Papers, 1547-1565*, p. 568.

On the 16th May, 1568, Queen Mary of Scotland fled into England after escaping from Lochleven. Sir Francis Knollys, who had been sent to Carlisle to receive her, and was then at Richmond on his way thither, wrote to Cecil on the 27th May to give him an account of an interview which he had with the earl of Northumberland. He says that the earl, hearing of his coming, came from his house at Topcliffe, and met him on the way, near Boroughbridge. The earl had with him "Sir Nicholas Fearfax<sup>1</sup> and Sir William Fearfax his sone, Mr. Hungate,<sup>2</sup> and Mr. Vavasor,<sup>3</sup> being all unsounde in religion, and with his lordship at Carlill." Sir Francis Knollys roundly rebuked the earl for attempting to take the Queen of Scots into his custody, and he told Sir Nicholas Fairfax "that he wold be tawghte to attend upon her Highnes' pleasure before he should attend upon the Queene of Skottes or upon my lord of Northumberland in such cases."<sup>4</sup> On the 26th March, 1569, Thomas, earl of Sussex, wrote to Cecil from York—"Lord and Lady Herbert are now here, and as he will tarry but awhile, I have sent for my lords of Northumberland and Westmoreland to meet us on Monday at Sir Nich. Fairfax's house, and so, with horse-races, hunting and hawking, to make his Lordship the best cheer we can, for the short time he tarries in the country."<sup>5</sup> In the autumn of this year the two earls commenced their ill-starred rebellion.

The old Church and the old nobility were still very strong in the North of England, and the two earls were most anxious to free Mary, to proclaim her Queen of England, and to depose Elizabeth; or, at least, to force Elizabeth to acknowledge Mary as her heir, and to withdraw her support from Protestantism.<sup>6</sup> "The key to the partial success of this desultory and ill-timed rebellion is to be found in the fact of the strong adherence of the northern counties to their ancient faith."<sup>7</sup> Sir Ralph Sadler stated that in this year "there be not in all this countrey" (*i.e.* the North) "ten gentilmen that do favour and allowe of her majesties proceedings in the cause of religion," and he describes the common people as ignorant, superstitious, and blinded with the "olde popish doctryne."<sup>8</sup> There can be

<sup>1</sup> Sir Nicholas was a kinsman of the earl of Northumberland (see note 3, p. 126 *ante*). Thomas Percy, seventh earl of Northumberland, was the son of the Sir Thomas Percy who was executed in 1537 for his share in the Pilgrimage of Grace.

<sup>2</sup> William Hungate, of Saxton. His daughter, Jane, was married to Nicholas, second son of Sir Nicholas Fairfax.

<sup>3</sup> John Vavasour, of Hazlewood, married Eleanor, daughter of Sir Nicholas Fairfax.

<sup>4</sup> *Queen Elizabeth and her Times*, by Thos. Wright, vol. i., p. 272.

<sup>5</sup> *Calendar of State Papers, Domestic*, Addenda, 1566-1579, p. 74.

<sup>6</sup> Gardiner's *Student's History of England*, 441.

<sup>7</sup> *Calendar of State Papers, Domestic*, Addenda, 1566-1579, preface, p. viii.

<sup>8</sup> *Memorials of the Rebellion of 1569*, by Sir Cuthbert Sharp, preface, p. x.



little doubt that Sir Nicholas Fairfax, "unsound in religion" as Sir Francis Knollys thought him, sympathised with the movement, but he was now about seventy years of age, and he had already been severely taught the danger of rebellion. His second son Nicholas, however, actively joined the rebels. As the earl of Sussex wrote to Cecil (Nov. 20)—"he is a rare bird that has not some of his with the two earls, or in his heart wishes not well to their cause."<sup>1</sup> On the 26th November Henry, lord Hunsdon, wrote to Cecil in the same strain—"all the gentlemen, save a few of the East Riding, remain in their house as neuters, but their sons are with the rebels."<sup>2</sup>

On the 4th November, 1569, the earl of Sussex summoned the earls of Northumberland and Westmoreland to York,<sup>3</sup> and he afterwards wrote to Cecil—"These earls deal so fondly that I am afraid they will forget their duty when summoned before the Queen. I will perform my duty to the uttermost, if she will have them chastised."<sup>4</sup> On the 8th November he wrote to the Queen from York—"This morning I received letters from the earls of Northumberland and Westmoreland, whereupon I called the members of your Council here together, viz. the Dean of York, Sir Thos. Gargrave, Sir Nicholas Fairfax, Sir Hen. Gale, Mr. Rokeby, and Mr. Vaughan. One of the earls directly refused to come, and the other deferred his coming."<sup>5</sup> On the 15th November the earls raised the standard of rebellion at Brancepeth. On the 17th, young Nicholas Fairfax with a great company entered the house of Anthony Catterick of Stanwick.<sup>6</sup> Before Christmas the rebels had made "a fond and foolish end of their traitorous rebellion,"<sup>7</sup> and young Nicholas Fairfax was among the prisoners at Carlisle.<sup>8</sup> His father was associated with the Council of the North to receive the submission of all offenders of the West Riding.<sup>9</sup>

Sir Nicholas Fairfax died on the 30th March, 1571. His will<sup>10</sup> and *Inq. post mortem*<sup>11</sup> will be found in the appendix to this paper. The "convenient tomb," for which he made provision in his will, stands in Gilling Church, under the easternmost arch of the south arcade of the nave. Sir Nicholas is represented in plate armour, with his head resting on a helm and his feet on a lion. On either side, and on a lower level, are the effigies of his two wives; on his right, Jane Palmes, his first wife, with a hand erect at her feet; and, on his left,

<sup>1</sup> *Calendar of State Papers, Domestic*, Addenda, 1566-1579, p. 114.

<sup>2</sup> *Ibid.*, p. 124.

<sup>3</sup> *Ibid.*, p. 98.

<sup>4</sup> *Ibid.*, p. 98.

<sup>5</sup> *Ibid.*, p. 98.

<sup>6</sup> Sharp's *Memorials*, 44.

<sup>7</sup> *Calendar of State Papers, ut sup.*, p. 163.

<sup>8</sup> *Ibid.*, p. 173. Sharp's *Memorials*, 123n.

<sup>9</sup> *Calendar of State Papers, ut sup.*, p. 261.

<sup>10</sup> Appendix X., *post.*

<sup>11</sup> Appendix XI., *post.*

his second wife, Alice, daughter of Sir John Harrington, and widow of Sir Henry Sutton of Averham, co. Notts., represented with a lion's head, gorged with a belt, at her feet. Both the ladies wear high ruffs, but his children are not "pictured and graven" on the tomb. His will provides that, if his sons William and Nicholas<sup>1</sup> die without issue, the inheritance is to descend to his grandson Henry, who, if he be a minor, shall be educated by Cuthbert, Sir Nicholas' seventh son. In view of what I have said as to Sir Nicholas' religious opinions, it is worth notice that Cuthbert Fairfax and his daughter Mary were reported as recusants.

Sir Nicholas was succeeded by his eldest son, Sir William Fairfax, to whom we owe the beautiful "great chamber" at Gilling. Sir William was knighted at Berwick by the duke of Norfolk in 1560.<sup>2</sup> His first wife, who died without issue, was Agnes, daughter of George, lord Darcy, the son of the Thomas, lord Darcy, who was executed in 1537.<sup>3</sup> In 1558 George, lord Darcy, bequeathed to his daughter, Agnes Fairfax, 100 marks and his best wrought silk carpet, bordered with crimson velvet, which she made.<sup>4</sup> The arms of Fairfax impaling Darcy, referring to this marriage, appear on George Darcy's tomb in the chancel of Brayton Church, near Selby.<sup>5</sup> Sir William Fairfax was a widower when his father died in 1571, but he must have married again within the next two years. His second wife was Jane Stapleton, daughter and heiress of Brian Stapleton, of Burton Joyce, Notts., and his wife Alice, daughter of Francis Roos, of Laxton, Notts. Brian Stapleton was a younger son of Sir Brian Stapleton of Carlton by his second wife Joan, daughter of Thomas Basset of South Luffenham, Rutland.<sup>6</sup> Brian died on the 27th August, 1567, and when his *Inq. post mortem* was taken, on the 4th December following, his

<sup>1</sup> Nicholas Fairfax, of Gilling, gentleman (second son of Sir Nicholas Fairfax), made his will on the 24th June, 1582, "I do geve my soule to the Allmightie God by whose mercie I truste to be saved throughe the merittes of his sonne Jesus Christe, and my bodie to be buried within the chauncell or churche of Gillinge." To Joan, my wife (dau. of William Hungate, of Saxton), £40. £30 to pay his debts and funeral expenses. To my beloved brother, Sir William Fairfax, knight, my bay colt; to lady Jane Fairfax, his wife, my gray mare. To Nicholas, my brother Cuthbert's son, £5; to Jane Fairfax, his daughter, £5. Residue to Joan, my wife, and she executrix. Brother Sir Wm. Fairfax, supervisor. Proved Sept. 18, 1582 (*Reg. Test.*, vol. xxii., fo. 99).

<sup>2</sup> Metcalfe's *Book of Knights*, p. 117.

<sup>3</sup> Sir William Fairfax was already married in May, 1537, when he must have been less than 20 years old.

<sup>4</sup> *Reg. Test.*, xv., ii. 291. "Item I gyve and bequeathe to Agnes Fayrfax my doughter one hundrethe markes to be paid in money and plate and my best wroughte silke carpett with the bordar of cremyson velvet whiche she maide." Will dated August 15, 1558. The date of probate, August 24, 1558, must be a mistake, as the inscription on his tomb states that he died on September 23, 1558. William Fairfax was appointed supervisor of this will.

<sup>5</sup> North side of tomb, second shield from east.

<sup>6</sup> *Dugdale's Visitation of Yorkshire*, J. W. Clay's ed., vol. i., p. 167.

daughter and heiress Jane was eleven years and five months old.<sup>1</sup> She must have married Sir William Fairfax between 1571 and February, 1573,<sup>2</sup> and their only son, Thomas, was born in 1574.<sup>3</sup> In 1572 she would only be sixteen years of age, and her husband must have been her senior by some thirty-seven or thirty-eight years.

Sir William Fairfax, like his father, seems to have taken a prominent part in Yorkshire affairs. From two letters among the State Papers we learn how Elizabeth's ministers were led to regard him. The first of these is a letter written to lord Burleigh by Sir Thomas Gargrave, then vice-president of the Council of the North, and dated from Nostel the 18th September, 1572, less than a month after the massacre of St. Bartholomew. Sir Thomas writes that he had conferred with the archbishop "towchyng mete persons to be counsaillors in thes partes," but they have not taken upon themselves to prefer any, but send to Burleigh a list of names of the men "of most wurshyppe and of the grettyst lyvyns in thes partes." He proceeds—"The people be here I thynke as in other places of the Realme, on sorte ys pleasyd with the late facte in Fraunce, a seconde sorte moche lament yt, and become fearfull and moche appauld at yt, a thyrde wold seme indeferent as newtralls and thoyes are the grettyst nomber and may be, termyd dyssemblers and yet many of them obedyent subiects and ar to be ledde by the auctoryte, and by thayr landislords and offycers."<sup>4</sup> In the list of gentry enclosed with the letter, the names are marked in four ways—protestant, the worst sort, mean or less evil, and doubtful or neuter. Sir William Fairfax's name is marked mean or less evil. His brother-in-law and neighbour, Sir William Bellasis, is protestant. Of his other connections, William Hungate, Gabriel Fairfax, and Vavasor are doubtful or neuter; John Sayer and Sir Richard Stapleton are mean or less evil; while Martin Anne and Richard Gascoigne and his brethren are of the worst sort.

The second letter is addressed to Secretary Walsingham by Henry, earl of Huntingdon, then president of the Council of the North, and is dated from York the 1st July, 1577.<sup>5</sup> The subject is the same, that of suitable persons to fill vacancies on the Council, and four gentlemen are named as fit to be appointed—Sir William Fairfax,

<sup>1</sup> *Inq. p. m.*, 10 Eliz., no. 69. Brian Stapilton, deceased. Nottingham, 4 Dec., 10 Eliz.

<sup>2</sup> "My Ladye" is mentioned in the steward's account for Ash Wednesday (Feb. 4), 1573. *Historical Manuscripts Commission, Report Cd. 982* (1903), p. 75.

<sup>3</sup> Thomas Fairfax was 22 years of age and more when his father's *Inq. p. m.* was taken on April 13, 1598. According

to the monumental inscription at Scrayingham (see p. 136 *post*), he must have been born in 1574.

<sup>4</sup> *Chapters in the History of Yorkshire*, by J. J. Cartwright, p. 64. *Calendar of State Papers, Domestic*, Addenda, 1566-1579, p. 425.

<sup>5</sup> *Calendar of State Papers, Domestic*, Addenda, 1566-1579, p. 515.

Sir William Mallory, Sir Thomas Boynton and Francis Wortley.<sup>1</sup> The writer says—"My lord of Leicester told me there was some suspicion of this last for religion," but as no such doubts are expressed about Sir William Fairfax, we may conclude that my Lord President considered him to be sufficiently sound. At any rate, he was appointed a member of the Council in 1582.<sup>2</sup>

Although he dated a letter to the Lord Treasurer "from my poor house at Gyllinge,"<sup>3</sup> Sir William's hospitality was on a generous scale, as is proved by a fine series of household account books kept by his house-steward, John Woodward, from 1571 to 1582.<sup>4</sup> "The immense amount of food provided for the master's table on guest days betokens Sir William's hospitality. The principal guests at dinner or supper are duly chronicled, but after the names there is usually the note *cum multis aliis*. The weekly expenses seem to have averaged about seven or eight pounds, but with this must be taken into account the various articles of food supplied on the estate. At festival times the amount was much higher, rising in one New Year's week to twenty-two pounds. In Lent it was about five."<sup>5</sup>

Sir William Fairfax was Sheriff of Yorkshire in 1577. In 1588 (December?) his name appears in a list of the Gentlemen of the North Riding "that are fit to lend her Majesty £50 and £25"; he heads the list in Ryedale as being good for £50.<sup>6</sup> In the same year he was thought to be "sick without hope of recovery," for on the 12th October, 1588, Francis Alford wrote to Burleigh to say that his kinsman, John Alford, offered 400 marks for the wardship of Sir William's son, in the event of his death, and to solicit the collectorship of the late monastery of St. Mary, York, which Sir William held.<sup>7</sup> But he recovered, and lived for another nine years. His name appears on certificates of musters for the wapentakes of Rydale and Birdforth in 1595,<sup>8</sup> and he sat for the county in the Parliament of 39 Elizabeth. An interesting inventory of his plate and household stuff at Gilling, dated the 16th March, 1594-5, has already been printed, together with inventories of plate and linen at Gilling in 1590, and of sheep and cattle at Gilling and Walton in 1596.<sup>9</sup> Some of the pieces of plate mentioned in Sir Nicholas Fairfax's will can

<sup>1</sup> In Sir Thos. Gargrave's list, Francis Wortley appears as doubtful, and Sir William Mallory as mean or less evil.

<sup>2</sup> *Calendar of State Papers, Domestic, Addenda, 1580-1625*, p. 80.

<sup>3</sup> *Historical Manuscripts Commission, Report Cd. 982* (1903), p. 94. June 1, 1575.

<sup>4</sup> *Ibid.*, pp. 67-86.

<sup>5</sup> *Historical Manuscripts Commission, Report Cd. 982* (1903), *Introd.*, pp. x., xi.

<sup>6</sup> *Ibid.*, p. 104.

<sup>7</sup> *Calendar of State Papers, Domestic, 1581-1590*, p. 551. See also *Hist. MSS. Com., Report Cd. 982*, p. 97.

<sup>8</sup> *Calendar of State Papers, Domestic, 1595-1597*, p. 167.

<sup>9</sup> *Archæologia*, xlviii. 121, communicated by Edward Peacock, F.S.A.

be identified in the inventories of 1590 and 1594-5. I shall presently have occasion to refer to the evidence of these inventories as to the extent of the buildings at Gilling at this period. Sir William Fairfax died on the 1st November, 1597. An abstract of his *Inq. post mortem* will be found in the Appendix to this paper.<sup>1</sup>

Sir William was succeeded by his only son, Thomas, who was married twice. His first wife was Catharine, the eldest daughter of Sir Henry Constable, knight, of Burton Constable (marriage licence 1594), and by her he had six sons and five daughters. His second wife was Mary, daughter of Robert Ford, of Butley, Suffolk, and widow of Sir William Bamburgh, Bart., of Howsham, co. York (marriage licence and settlement 1626-7). Sir Thomas Fairfax was one of the Council of the North in 1599 and 1602,<sup>2</sup> and Sheriff of Yorkshire in 1627. On the 10th February, 1628, he was created Viscount Fairfax of Emley in the county of Tipperary. He died on the 23rd December, 1636. A memorial slab of black marble, fixed on the north wall of the chancel of Scrayingham Church, bears the following inscription:—

P. M. S.

QVEM PRESENTEM ADMIRATI SVMVS,  
SACRAM GRATI MEMORIAM VENEREMVR  
VERÈ PRÆNOBILIS ILLVSTRISSIMIQ  
THOMÆ VICECOMITIS FAIRFAX DE EMMELEY.  
ILLE PLENVS HONORVM DIERVMQ  
VITAM COELITIBVS SIMILEM DVXIT,  
MORTE IN EORVM NVMERV TRANSLAT<sup>9</sup>  
ANNO . ÆTATIS 62  
DÑI . 1636 . 23 DECEMB.  
SVPERSTITEM RELIQVIT SOBOLE NVMEROSAM,  
THOMAM MARIAM  
HENRICVM CATHARINAM  
GVLIELMV MARGARETAM  
NICHOLAVM  
IOHANNEM IANAM  
IORDANVM DOROTHEAM  
HORV HENRICVS NATV SECVND<sup>9</sup> NŌ MÆRORE,  
DICATO HOC MONVMENTO,  
CONSPICVVM REDDIDIT POSTERITATI  
PATERNV MERITVM FILIALEMQ PIETATEM.  
INSCRIPSIT VICECOMITIS CONSANGVINEVS  
ROBERTVS STAPYLTONIVS

<sup>1</sup> Appendix XII., *post*.

<sup>2</sup> Drake's *Eboracum*, 369. *Calendar of State Papers, Domestic*, 1601-1603, pp. 156, 194.

Thomas Fairfax's will is dated the 22nd October, 1634. He wishes to be buried at Walton. He leaves to the poor of Walton and Gilling each £10. "To my deare and loving wife £100, also my best coach and foure of my best coach horses and all the furniture belonging to the same." He leaves bequests to all his sons and daughters, and his servant William Laskew is "to have his dyet at Gillinge Castle during his life." He appoints as supervisors Sir Thomas Layton and Robert Stapleton, his sons-in-law, and John Ibson, his cousin. It was no doubt this Robert Stapleton, the husband of his second daughter Catharine, who was the author of the above inscription. By a codicil, dated the 12th December, 1636, Thomas Fairfax wills that his grandson William (son and heir apparent of his eldest son Thomas) be entrusted to the tutorship of Thomas, viscount Wentworth, his cousin, and Henry Fairfax, his second son. The will was proved on the 2nd January, 1636-7.

Thomas, the second viscount, who married Alatheia, daughter of Sir Philip Howard, is the last of the Fairfaxes whose arms are displayed in the heraldry of the "great chamber" at Gilling, and the later history of the Fairfax family is beyond the scope of this paper. Charles Gregory, the ninth and last viscount Fairfax of Emley, died in 1772, and on the death of his daughter Anne in 1793, her cousin Charles Gregory Pigott succeeded to Gilling Castle, and assumed the name of Fairfax. His son Charles Gregory Fairfax died without issue in 1871, and was succeeded by his sister Lavinia, who had married the Rev. James Alexander Barnes, the rector of Gilling. At the death of Mrs. Barnes in 1885, Gilling passed to Captain Thomas Charles Cholmeley, R.N., of Brandsby, the younger brother of Francis Cholmeley, who had married Harriet, the younger sister of Mrs. Barnes. On succeeding to the property, Captain Cholmeley took the additional name of Fairfax. His son, Mr. Hugh Charles Fairfax-Cholmeley, succeeded on his father's death in 1889, and in 1895 he sold the Gilling estate to Mr. George Wilson.<sup>1</sup>

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I come at last to the description of the building itself.

Gilling Castle occupies one of those commanding peninsular sites which were so frequently selected for castles and semi-fortified houses.

<sup>1</sup> Since this was written Mr. Wilson has sold the estate (in 1904) to Mr. W. S. Hunter, who has made some alterations to the building, which have increased its convenience as a dwelling, without de-

tracting from its archæological interest. I have to thank Mr. Hunter for kindly giving me every facility for a further examination of the building.

The road from York to Helmsley, after crossing the low-lying forest of Galtres, ascends the Howardian hills at Brandsby, and, passing over the moors, runs down their northern slope by the side of the tiny Burnt Gill into the valley of the Holbeck, a small tributary of the Rye. The little village of Gilling extends along the road just before it crosses the Holbeck, the valley of which divides the Hambleton hills on the north from the Howardian hills on the south. The castle stands above the village on the west, at the eastern end of the steep bank which here forms the southern side of the valley of the Holbeck. The site of the castle is about 130 feet above the level of the valley, while a mile further west, at the "Temple," the wooded bank rises to a height of some 300 feet above the valley. The eastern extremity of this bank, on which the castle stands, is still further detached by a shallow valley on its southern side. The site is therefore surrounded by steep slopes on three sides, north, east, and south, and is only weak towards the west, where the park with its long avenue slopes gently towards the building. On the maps of the Ordnance Survey,<sup>1</sup> the height on which the castle stands is called "Moat Hill," but I cannot say whether the name is an old one. It is possible that the house may have been defended on its western side by a dry ditch, which, with its natural defences on the three remaining sides, would have completely isolated its site, but I have not been able to discover any traces of such a ditch. There is an old quarry in the bank west of the castle, and several others to the east of the village. The fish-ponds are on the lower ground, at the foot of the bank, immediately to the north of the castle.

Although it is certain that this site has been occupied from a very early period, we cannot attribute any part of the existing building to an earlier date than the second half of the fourteenth century. The great square block forming the eastern<sup>2</sup> part of the present house contains all the mediæval work which has survived the many alterations which have so considerably changed the appearance of the original building. The west front of this square building is flanked by two long wings, erected in the eighteenth century, and extending westward on each side of the principal entrance; the southern wing considerably overlaps the side of the original building. From the north-east corner of the northern wing, another wing extends northward, and forms the east side of the irregularly-shaped stable yard.

<sup>1</sup> *Ordnance Survey*, 6 inch, sheet CV. S.E.; 2500, sheet CV. 11.

<sup>2</sup> The terrace front of the house actually faces nearly E.N.E., but, in order to

simplify the description, I shall refer to this front as east, and to the other sides in like manner.

The great square building, however, contains all which comes immediately within the scope of this description. The sketch (Fig. 1) at the commencement of this paper illustrates the appearance of the east front in 1894.

The basement story of this great square building contains almost all the mediæval work which remains, and is chiefly interesting for its plan. (Fig. 2.) This is a simple oblong, without projections of any kind; its dimensions on the exterior are 79 feet 6 inches from north to south, and 72 feet 6 inches from east to west; the external walls on the north, east, and south sides of the basement are 8 feet 6 inches in thickness. This "tower" type of plan was frequently adopted for mediæval manor houses,<sup>1</sup> especially in the north of England and Scotland.<sup>2</sup> Many fine examples still remain, as, for example, Cocklaw<sup>3</sup> (first half of fourteenth century), Chipchase<sup>4</sup> and Belsay<sup>5</sup> (both of the middle of the fourteenth century), all in Northumberland. But I have met with no example of the "tower house" which is anything like so large as Gilling. Cocklaw measures on the outside 50 feet 6 inches by 34 feet 8 inches; Chipchase, 51 feet 6 inches by 34 feet; Belsay, 56 feet 6 inches by 47 feet 3 inches; while even the lofty brick tower of Tattershall, one of the largest houses of this type, only measures 61 feet by 47 feet to the outside of its walls.<sup>6</sup> It is indeed remarkable that a tower house of this size and strength should have been built so far south by a family of no very commanding position.

On the plan of the basement (Fig. 2) the original walls are shown black, while later alterations and additions which can be clearly distinguished as such, including the modern wings, are indicated by hatched shading. A few quite recent partitions, doorways, &c., have been suppressed on this plan.<sup>7</sup>

<sup>1</sup> *Some Account of Domestic Architecture in England*, by T. H. Turner and J. H. Parker, 1851-9; ii. 11; iii. 8 *seq.* *Dictionnaire Raisonné de l'architecture française*, by E. Viollet-le-Duc; vi. 301 *seq.*

<sup>2</sup> *The Castellated and Domestic Architecture of Scotland*, by David Macgibbon and Thomas Ross, *passim*.

<sup>3</sup> *Cocklaw Tower*, by W. H. Knowles, in the *Transactions of the Architectural and Archaeological Society of Durham and Northumberland*, iv. 309.

<sup>4</sup> *A History of Northumberland*, iv. 333, with drawings by W. H. Knowles.

<sup>5</sup> Turner and Parker's *Domestic Architecture*, ii. 205.

<sup>6</sup> The great size of the Gilling "tower" may be appreciated from the fact that it

is larger than the great twelfth-century keep of Rochester, which is about 70 feet square at the base, on the outside of the walls. Dacre Castle, Cumberland, measures 48 feet by 35 feet on the outside, excluding the large angle turrets (Turner and Parker, *op. cit.*, ii. 213). The extreme dimensions of Langley Castle, Northumberland (Turner and Parker, ii. 332) are greater than those of Gilling, but Langley goes beyond the simple rectangular type of tower house to which I refer above.

<sup>7</sup> This plan was made before Mr. Hunter's alterations of 1904. The basement is described as it was before these alterations, with the addition of some notes on the east and west doorways which have now been opened out.



The basement is divided by a central corridor,<sup>1</sup> 6 feet 10 inches wide, running east and west, with three rooms on each side of the corridor. The wall on the south side of the corridor is 2 feet 5 inches thick, and that on the north side (which carries a wall on the story above) is 3 feet thick. The doorways in these walls have chamfered jambs and arches on the side next the corridor; the arches are pointed, just perceptibly four-centred, with a rise of 1 foot 10 inches to a width of 3 feet; each half of the arch is a single stone, jointed only at the apex; the chamfered jambs are stopped at the bottom by returning the chamfer at right angles.

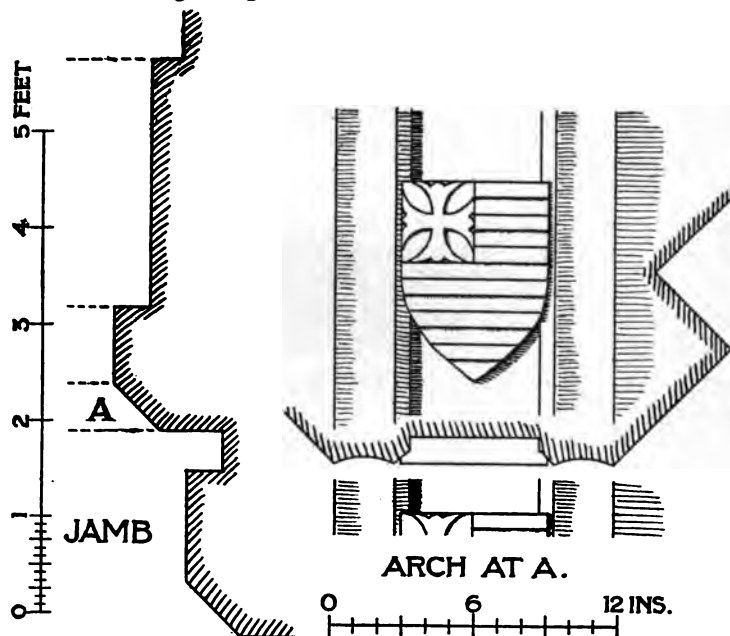


FIG. 3.—DETAILS OF EAST DOORWAY OF BASEMENT.

At each end of the central corridor is a doorway, both formerly blocked, but opened out in the course of Mr. Hunter's alterations of 1904.<sup>2</sup> The doorway at the west end, which appears to have been the principal entrance to the basement, is 5 feet 3 inches wide; its jambs have a wide chamfer and rebate for the door, the crooks of which remain. The chamfer of the jamb is continued around the

<sup>1</sup> The central corridor is rather an uncommon feature. Compare the plan of Drochil Castle, Perthshire (16th century), in Macgibbon and Ross's *Castellated and*

*Domestic Architecture of Scotland*, ii. 222.

<sup>2</sup> These doorways are not shown in detail on the plan (Fig. 2), as both were blocked when the plan was made.

arch, which is pointed, not four-centred like the arches of the other doorways. There are also crooks for another door on the inside of the wall itself. Immediately within this doorway, opening from the north side of the corridor, is a wide straight stone staircase, which appears to be original, and is now blocked by the floor of the hall above. The floor of the western part of the corridor ( $\kappa$ ) is at a higher level than that of the rest of the corridor, with a short flight of steps between the two levels. The barrel vault over the staircase, which is not pointed, is of much later date.

The doorway at the east end of the corridor was formerly external, but was blocked by the erection of the later turret ( $\mathfrak{N}$ ) on the outside of it. The doorway is 5 feet 3 inches in width, with chamfered and rebated jambs similar to those of the western doorway, and here again there are crooks at the rebate and also on the inside of the wall. The doorway has a low four-centred arch, with a rise of 2 feet 2 inches, moulded on the outer side with six shields bearing the Etton arms, three on each side of the arch (Fig. 3). Each half of the arch is a single stone. On the outer side is a groove for a portcullis in an outer chamfered jamb which is continued upwards to an arch at a higher level, which is no longer visible (if it still exists), for all this outer part was covered by the inner masonry of the later turret. The rere-arch has a pointed segmental curve, similar to but not concentric with that of the barrel vault of the corridor, and it is placed at a considerably higher level than the inner arch, the springing of the former being about at the same level as the apex of the latter. I am inclined to think that the inner arch bearing the Etton shields is of slightly later date than the rest of the basement; both in form and detail it is of more advanced character than the arch at the opposite end of the corridor, and the chamfer of the jamb stops rather awkwardly into the arch; but it cannot in any case be later than the middle of the fifteenth century, and it is probably much earlier.

The three rooms on the north side of the corridor are each 21 feet 9 inches in length by about 15 feet in width. Each is lighted by a single window on the north side (Fig. 4), with stepped sill on the inside; that to the westernmost room ( $c$ ) has been altered. The easternmost room ( $A$ ) has a smaller window on the east side, from the jamb of which a staircase, now blocked, led to the upper floor; this staircase is original, and was lighted by a small window. The westernmost room ( $c$ ) also has a staircase, now blocked, which led to the upper floor, and may also be original. On the west side of the latter room is a recess ( $\mathfrak{H}$ ) lighted by a window on the west; a door-

way through the north wall now gives access to the modern north wing, but the walls at this point have been so much altered that it is impossible to say whether the recess on the outside of the wall (M) is original or due to modern alteration. None of the rooms on this side of the corridor have fireplaces or garderobes.

The three rooms on the south side of the corridor are each about 28 feet 6 inches long by 15 feet wide. Each is lighted by a window on the south side, and the easternmost room (D) has another window on the east, blocked by the lower part of the Elizabethan bay of the great chamber above. All these windows have stepped sills on the inside, and are placed high up from the floor; in the room D the height from the floor to the top of the window sill is 7 feet 4 inches, and the floor level is about 2 feet above the level of the terrace on the outside. Each of the rooms D, E, and F is provided with a garderobe, approached by a narrow passage from the jamb of the window in each case. That to the centre room (E) has been converted into a passage to the modern south wing. This room has a fireplace, and there was probably another to the adjoining room to the west (F). The room D also has a fireplace in the east wall, between the east window and the south-east angle; this fireplace is 5 feet 4 inches in width, and has a chamfered lintel 22 inches deep. The garderobes and fireplaces show that these rooms were used as living-rooms.

In the south wall of the corridor, near its west end, a doorway, similar to but narrower than the other corridor doorways, opens into a narrow passage which leads to a small room (G), 10 feet 9 inches long by 8 feet 11 inches wide, placed between the south-eastern room (F) and the west wall, and lighted by a small window (now blocked) on the west. The floor of this room (G) is at a higher level than that of the basement generally. Between the west wall and the passage leading to this room (G) is a space (L) now filled up with rubbish. The whole of the west wall was refaced when the house was altered and extended in the eighteenth century.

All the rooms in the basement (including the small room G) and the central corridor are covered with barrel vaults of pointed segmental section. The ridges of the vaults are indicated by dotted lines on the plan.

On the upper floors the external walls appear to have been almost entirely rebuilt, with the exception of the south wall of the "great chamber" (over the room marked D on the basement plan), and the northern part of the east wall from the turret to the north-east angle. In this latter wall, to the north of the turret, are the jambs of a large blocked window, with the springer stone of its arch

remaining over the north jamb; this seems to have been an original late fourteenth-century window. From the south jamb of this window a staircase ascended in the thickness of the wall, lighted by a little window adjoining the north side of the later turret.<sup>1</sup> Everything above the basement has however been so much altered, either in the sixteenth or eighteenth century, that it is impossible to say what the original plan of the upper part was.

We may safely assign the building of this tower house to the second half of the fourteenth century, and it must therefore be attributed either to the Thomas de Etton who married Elizabeth Fairfax, or to his son, the last Thomas de Etton. I have suggested the latter as the most probable builder of the house, and have mentioned his acquaintance with John, lord Nevill of Raby, of whose will he was one of the executors. It is interesting to note that this acquaintance with one of the most illustrious heads of the great house of Nevill would naturally bring Thomas de Etton into association with the builders of some of the great fortified houses of his time in the north of England. John, lord Nevill, was himself the builder of Raby and Sheriff Hutton.<sup>2</sup> One of his daughters, Matilda, married a cousin of Richard, lord Scrope, who built Bolton, in Wensleydale, in 1379. Another daughter, Eleanor, was the wife of Ralph, lord Lumley, who constructed Lumley 'de novo' in 1392. And about the same time Wressle Castle was being built by Sir Thomas Percy, who was a nephew of John Nevill's first wife, and whose sister-in-law, Hotspur's mother, was John Nevill's sister.

The later alterations to Gilling—apart from its extension in the eighteenth century—consist of the erection of a turret,<sup>3</sup> which no doubt once contained a staircase, blocking the doorway at the east end of the basement corridor, and the remodelling of the upper floors by Sir William Fairfax towards the end of the sixteenth century.

The "great chamber," now the dining-room, which I shall presently describe in detail, is the work of Sir William Fairfax. It extends over the room marked D on the basement plan, and over that part of the basement corridor immediately to the north of D. As this afforded sufficient length for the room, the south wall was apparently left its original thickness (about 6 feet 6 inches). The east wall is pierced by the bay window (o), and by a large window between the bay and the turret, which in any case would have involved taking out most

<sup>1</sup> I owe this information to Mr. W. H. Brierley, F.S.A., who acted as Mr. Hunter's architect for alterations in 1904.

<sup>2</sup> The licence to crenellate Raby is dated 1379, and that for Sheriff Hutton, 1381.

<sup>3</sup> Marked N on the basement plan (Fig. 2). The addition of this stair-turret probably dates from the time of one of the earlier Fairfaxes of Gilling.

of the length of this wall; but, as the retention of a wall of the original thickness would have unduly restricted the width of the room, this east wall was taken down altogether, and rebuilt about half its former thickness. As the west wall of this room is not exactly over the division wall between the rooms marked D and E on the basement plan, I think that this wall also was probably taken down and rebuilt over the haunch of the vault of the room E, in order to give greater width to the "great chamber." That part of the east wall which lies between the north end of the "great chamber" and the north-east angle of the house is an original thick wall, but, with the exception already mentioned, all the other external walls have been reconstructed. Of the internal walls on the principal floor, the north wall of the "great chamber" and of the present staircase (over the south walls of the rooms marked A and B on the basement plan), and the west wall of the present staircase (over the division wall between the rooms marked E and F on the basement plan), appear to be original (mediæval), but the remainder of the interior has been entirely remodelled.

The room over the "great chamber" has a bay window on its east side (over the bay below). This bay has a ribbed plaster ceiling, which is exactly the same, both in scale, design, and detail, as a ceiling in the Elizabethan part of Helmsley Castle,<sup>1</sup> except that at Helmsley the ornament in the central squares is a Tudor rose; the ornament in the hexagonal panels is the same in both cases. This room has an Elizabethan window, now blocked, in its south wall. There is also a blocked Elizabethan window immediately to the west of the south window of the "great chamber," and another on the story above.

Among the inventories printed by Mr. Edward Peacock, already referred to, is "A note of all my Bookes remayning at Gilling."<sup>2</sup> This is undated, but as it is found in the manuscript volume which evidently belonged to Sir William Fairfax, the note dates from his time or that of his son. Among the books mentioned in this interesting list is "A Regester of all the gentlemens armes in ye great chamber." This identifies the "great chamber" of Sir William's time with the present dining-room. The inventory of plate and household stuff at Gilling, taken for Sir William Fairfax in 1594-5,<sup>3</sup> shows that there was then a "dyninge parlor" apart from the "great

<sup>1</sup> The Elizabethan building at Helmsley Castle was the work of Edward Manners, third earl of Rutland, who died in 1587. His arms (sixteen quarterings), impaling those of his wife, Isabel Holcroft, occur

among other heraldic devices in a plaster frieze.

<sup>2</sup> *Archæologia*, xlviii. 152.

<sup>3</sup> *Ibid.*, xlviii. 123.

chamber." In addition to these rooms, this inventory mentions the "newe lodginge, outter newe lodginge, schoolehouse, new turritt, pleasaunce, the olde studye, parradise, gallorye and lodginge, greene chamber, my Mr. his chamber, Bysshoppes chamber, the lowe vawte, kitchine chamber, the midlegates, porter lodge, the farre gates, stable, kylne, darye, oxhouse, wine seller, pantrye, hether buttrye and midle buttrye, kytchine, drye larder, wett larder, paistrie, backhouse, boutinge house, and brewhouse." The inventory of 1624<sup>1</sup> also mentions "the walke, the inner and outer nursery, Barnardes parler, the maidens parler, beef house, still house chamber, landry, and wash house." It is of course certain that the buildings of this time extended considerably beyond the tower house, and from what we know of other houses of this type, it is probable that this was also the case in the fourteenth century. The lines of the low attached buildings may probably be represented by the present irregular outline of the stable yard.

The date of the completion of Sir William Fairfax's work is indicated by an inscription in the south window of the "great chamber," which is dated 1585.

The reconstruction of the west front and the addition of the wings are said by Gill to have been designed by "Sir John Vanbrugh, who, with his able assistant, Mr. William Wakefield, and his Italian plasterers, Cortese, &c., a school of artists which we have lately seen expire, appears to have been constantly employed in this part of Yorkshire."<sup>2</sup> Drake, however, who is a nearly contemporary authority, appears to attribute the work at Gilling entirely to Wakefield. In his account of the church of St. Michael-le-Belfry, York, he mentions the monument of Dorothy, wife of William Wakefield, of Huby (1722), and in a footnote he adds—"Here lyes also, as yet without any memorial, that worthy gentleman, William Wakefield, esquire, whose great skill in architecture will always be commended as long as the houses of Duncombe Park and Gilling Castle shall stand."<sup>3</sup> The south wing contains a long gallery, with a drawing-room at its west end, on the principal floor. In the basement of the north wing are the kitchen offices, with the library, bed-rooms, &c., over. The entrance-hall and much of the interior of the main building appear to have been remodelled at the same time. The work is designed in the classic manner of the time, and the exterior is severe, not to say dull, in character. Some of the internal woodwork is, however, decidedly interesting. Gill says that he had ascertained that other buildings previously existed on the site of the wings.<sup>4</sup>

<sup>1</sup> *Archæologia*, xlviii. 148.

<sup>2</sup> *Vallis Eboracensis*, by Thomas Gill (London, 1852), p. 263.

<sup>3</sup> *Eboracum*, by Francis Drake (London, 1736), p. 341, note c.

<sup>4</sup> *Vallis Eboracensis*, p. 263.

The remainder of this paper will be devoted to a description of the present dining-room, the Elizabethan "great chamber" (Fig. 5),<sup>1</sup> completed by Sir William Fairfax about 1585. The room is not only remarkable for its wealth of heraldic decoration, but it is certainly one of the most beautiful rooms of the Elizabethan period which remains to us. Its whole appearance enables us to realise, perhaps more clearly than does any other single room, what the stately interiors of Elizabeth's days were like. Its great beauty, however, lies in its magnificent display of painted glass, which is quite unrivalled by any other surviving example of its time.

The room measures about 39 feet in length by 22 feet in width, within the panelling (see Plan, Fig. 6).<sup>2</sup> It is lighted by a deeply recessed window of five lights wide at its south end; close to the south end of the east side is a bay window, 12 feet in width by 9 feet 8 inches in depth, which commands a beautiful view towards the church; in the east side, north of the bay, is another window of four lights wide. All the windows are divided by two transoms into three lights in height.

The room is 17 feet 4 inches in height from the floor to the ceiling. The wall panelling is 11 feet 7½ inches in height from the floor to the top of the cornice. The panelling is divided in height into three large panels, surrounded by an egg-and-tongue moulding. Each of the panels is subdivided into a lozenge-shaped panel in the centre, with a nearly triangular panel at each corner. The lozenges are filled with interlacing patterns in marquetry, exhibiting considerable variety of design, while each of the angle panels has a sprig of leafage and flower within an inlaid border, of ebony and holly.<sup>3</sup> Above the panels is an entablature, consisting of a narrow architrave, a frieze 9 inches in width of strap-work divided by small turned and fluted balusters, and a cornice with widely spaced convex dentils (Fig. 15. See p. 177.)

Above the wall panelling is the frieze, 3 feet 8 inches in height, painted on boards with the arms of the gentlemen of Yorkshire, arranged in wapentakes, which will presently be described in detail.

The remaining 2 feet in height is occupied by the plaster cornice, consisting of a narrow architrave, a cove, and a narrow vertical band of ornament imitated from the Greek honeysuckle. The ribbed plaster ceiling (see Fig. 5.) follows a type of design which is not uncommon in Elizabethan work. The design is based on squares,—larger squares of 10 feet, subdivided into squares of 2 feet 6 inches. In the centre and at each angle of each 10 feet square is a fan with

<sup>1</sup> From a photograph by Mr. C. C. Hodges.

<sup>2</sup> The room is illustrated in *Details*

of *Elizabethan Architecture*, by Henry Shaw (London, 1839), plates 11 to 15.

<sup>3</sup> A detail of one of the panels is given in Shaw's plate 12.

pendant, and in the centre of each 5 feet square is a smaller fan with pendant. The centre of the pointed quatrefoil has a pendant only, not a fan. On the grounds of the panels are small heraldic

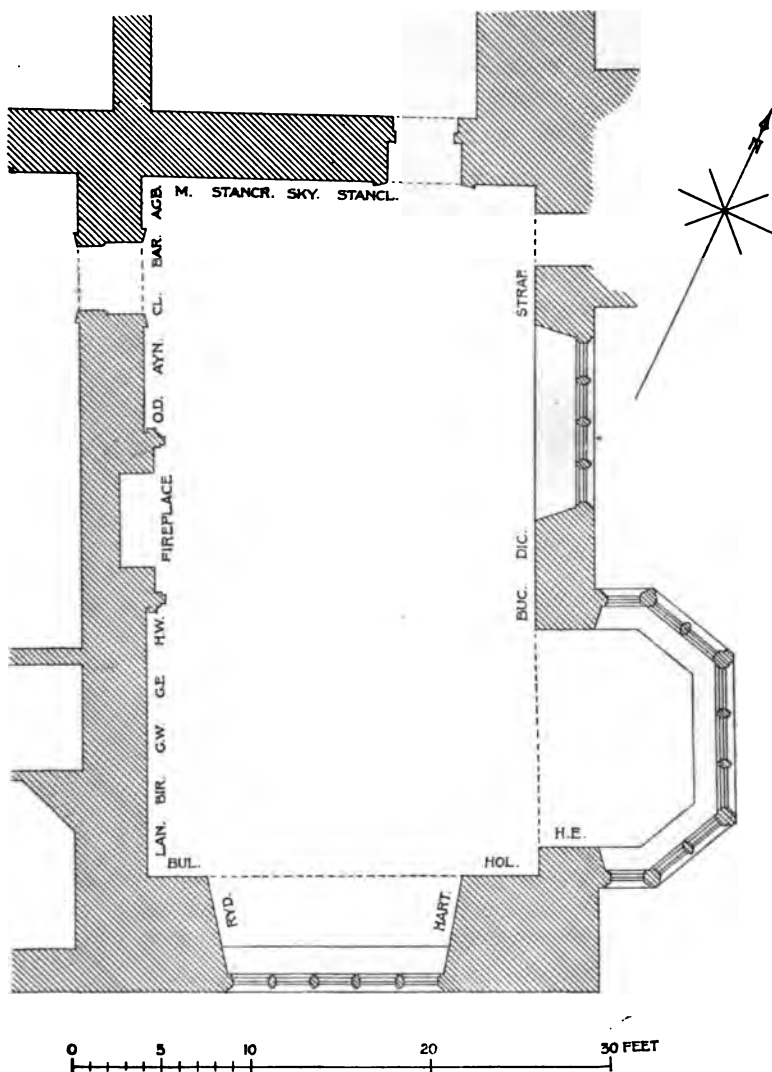


FIG. 6—PLAN OF DINING ROOM.

devices,—lions (the principal charge in the Fairfax arms), goats (the Fairfax supporters), and talbots (a device of the Stapletons).<sup>1</sup>

<sup>1</sup> The device *a talbot passant argent* Stapleton (d. 1496). *Yorkshire Archaeol. Journal*, viii. 256.



The ceilings of the bay window and of the recesses to the two other windows are of plaster, ribbed, the design of which is the same as in the ceiling of the bay on the upper floor, the ground of the panels being covered with ornament.

The fireplace is in the centre of the west side of the room. The lower part of the chimney-piece has fluted pilasters at the sides, which support a frieze ornamented with shields of arms surrounded by strap-work. Between these shields are corbels which support a Corinthian order with fluted columns, which divide the principal "story" of the chimney-piece into three panels, the central panel containing the principal (Fairfax) achievement, the side panels having niches with shell-heads. The frieze above is ornamented with strap-work similar to that in the frieze of the wall-panelling. The central part of the chimney-piece rises through the principal frieze of the room, and is finished with a pediment immediately beneath the ceiling. The large panel in this upper central part contains the Royal arms of Elizabeth, France modern and England quarterly, encircled with the Garter charged with the motto of the order, and surmounted by an arched crown with orb and cross. The supporters are—Dexter, *a dragon sable*<sup>1</sup>; Sinister, *a lion rampant gardant or*.

The principal panel below contains the arms of Sir William Fairfax<sup>2</sup>:—

Quarterly of six :

1. *Argent, over three bars-gemels gules a lion rampant sable*.<sup>3</sup>

FAIRFAX.

2. *Argent, a chevron between three hind's heads erased gules*. MALBIS.

3. *Barry of eight argent and gules, on a canton sable a cross patonce or*. ETON.

4. *Or, a bend sable*.<sup>4</sup> CARTHORPE.

<sup>1</sup> It must be remembered that the arms in the chimney piece, as well as those in the frieze of the room, have been repainted. It is, therefore, more than probable that the original colouring has not been preserved in every case.

<sup>2</sup> A paper on the *Armorial Bearings of the Fairfaxes* is printed in the *Herald and Genealogist*, vi. 627.

<sup>3</sup> In the Fairfax arms in this room, the lion is always shown *over* the bars-gemels, as blazoned in Tonge's Visitation of 1530 (Surtees Soc. ed., p. 57). In Glover's Visitation of 1584-5 (Foster's ed., p. 39), the lion is blazoned as

*debruised* by the bars-gemels, as in the quotations from Metcalfe's *Book of Knights* above (p. 124, notes 1 and 4), and the arms are so represented in the shield of Fairfax, quartering Thwaites in the bay window, Light II. 2; but this shield has been inserted here, and does not belong to the glazing of Sir William Fairfax's time.

<sup>4</sup> Doubtless this coat was originally painted *Or, a bend azure*. *Or, a bend sable* would be Mauley, as in the bay window, Light I. 6, and as in the Fairfax pedigree in Flower's Visitation of 1563-4 (Harl. Soc. ed.).

5. *Argent, a chevron between three martlets sable.* AYRUM or ERGHAM.<sup>1</sup>

6. *Argent, a fess between two lions passant<sup>2</sup> sable.* FOLYFAYT.<sup>3</sup>

Crest (on a helm): *A lion's head erased sable.*

Supporters: *Two goats argent.*

On the frieze below, between the corbels, are four shields, bearing the arms of four of Sir William Fairfax's sisters and their husbands—Margaret, married Sir William Bellasis, of Newborough; Mary, married Sir Henry Curwen, of Workington; Eleanor, married John Vavasour, of Hazlewood; and Elizabeth, married Mr. Roos, of Ingmanthorpe. The arms, reading from left to right, are:—

1. *Argent, a chevron<sup>4</sup> between three fleurs-de-lis azure.* BELLASIS. Impaling FAIRFAX.

2. Quarterly. 1 and 4, *Argent, fretty gules, a chief azure.* 2 and 3, *Sable, a lion rampant argent charged with three lozenges gules.*<sup>5</sup> CURWEN. Impaling FAIRFAX.

3. *Or, a fess dancetty sable.* VAVASOUR. Impaling FAIRFAX.

4. *Azure, three water bougets or.* ROOS. Impaling FAIRFAX.

On the pedestals of the Corinthian columns are small cartouche panels, which bear the inscription—FEARE AND LOVE GOD.

### THE GLASS.

The painted glass, which is the great attraction of this room, is unusually perfect, and is as beautiful in colour as it is excellent in design and drawing. It fills the whole of the three windows, except the lower lights of the two windows on the east side of the room, which are now glazed with clear glass. The bay window displays the heraldry and genealogy of the Fairfax family, and the south window that of the Stapletons, the family of Sir William Fairfax's second wife. The remaining window on the east side is devoted to the Constable family, and although it may have been executed in Sir William

<sup>1</sup> Came in with Carthorpe. Eustachia, the wife of Richard Fairfax who died 1431-2, was the daughter and heiress of John Carthorpe by Elizabeth, daughter and heiress of Sir Richard Ergham.

<sup>2</sup> In this coat the lions are sometimes *passant*, as here, and sometimes *passant gardant*.

<sup>3</sup> In the Fairfax pedigree in Flower's Visitation of 1563-4 (Harl. Soc. ed.), under Sir Nicholas Fairfax's name, the herald has added this note:—"This Sr Nycolas sayeth that he should bere

Follovet who bereth—*Arg. a fess between 3 lions rampant sable*; and yt should come in next unto Etton." See also *Yorks. Archæol. Journal*, x. 501.

<sup>4</sup> The chevron in the Bellasis coat is blazoned *gules*, not *azure* as here.

<sup>5</sup> I take this to be the correct blazon of this shield, but the chiefs of the 1st and 4th quarters are continued across the 2nd and 3rd quarters, forming really two bars—probably a mistake on the part of the carver.

Fairfax's lifetime, it is, as we shall see, of later date than the two other windows.

One of the quarries in the last light (III. 5) of the south window is signed by the artist, Boernard Dininckhoff, with the date 1585 and what is probably a little portrait of himself over his signature. From the character of the work, it is clear that the whole of the glass in this window and in the bay window (except the inserted work in the latter) must be attributed to Bernard Dininckhoff and his assistants. His name seems to indicate that he was a German, and this supposition is confirmed by the character of the drawing of some of the heraldry and ornament. He probably came to England specially to execute these windows, for no mention of him has hitherto been found elsewhere.<sup>1</sup>

The general treatment of all the glazing in the two windows executed by Dininckhoff is the same. Each light has a single shield of arms which, with the surrounding ornament, is richly treated in colour, and is placed upon a ground of pattern glazing of white glass.

The south window, which is the most perfect, may be described first. The lead work which forms the ground of all the lights is of the same pattern, that shown in Fig. 7. In the upper tier of lights, the shields are surrounded by wreaths or garters. The colours are strong, warm yellows and reds predominating. The inscriptions are on tablets surrounded by strap-work, placed at the bottom of the lights. In the lights of the middle tier the treatment is similar, but, the lights being longer, there is more pattern space between the shields and the inscriptions. The shields are set within wreaths bound by crossed ribbons, which are surrounded by a narrow margin of strap-work. The inscription tablets, also surrounded by strap-work, are again placed at the bottom of the lights. The colours are rather colder than in the upper tier, the wreaths being chiefly green with blue or violet ribbons. All the strap-work is of a warm yellow. In the lower lights the shields are set in a very elaborate composition of strap-work and arabesques, all very delicate and refined. The colouring generally is warm, much yellow being used; the colours are in smaller quantities than in the lights above, and more white is left. The inscription tablets are placed towards the bottom of the lights, and are surrounded by strap-work and arabesques, similar to those around the shields. The general effect is extremely rich and harmonious. The dial in the quarry signed by the artist (Fig. 8) is a delightfully refined bit of work. The principal (upper) part of one

<sup>1</sup> Mr. William Page, F.S.A., who has devoted considerable attention to the subject of foreign workmen in England in Elizabeth's time, has very kindly searched for his name in likely papers at the Public Record Office, &c., but has not found any mention of him.

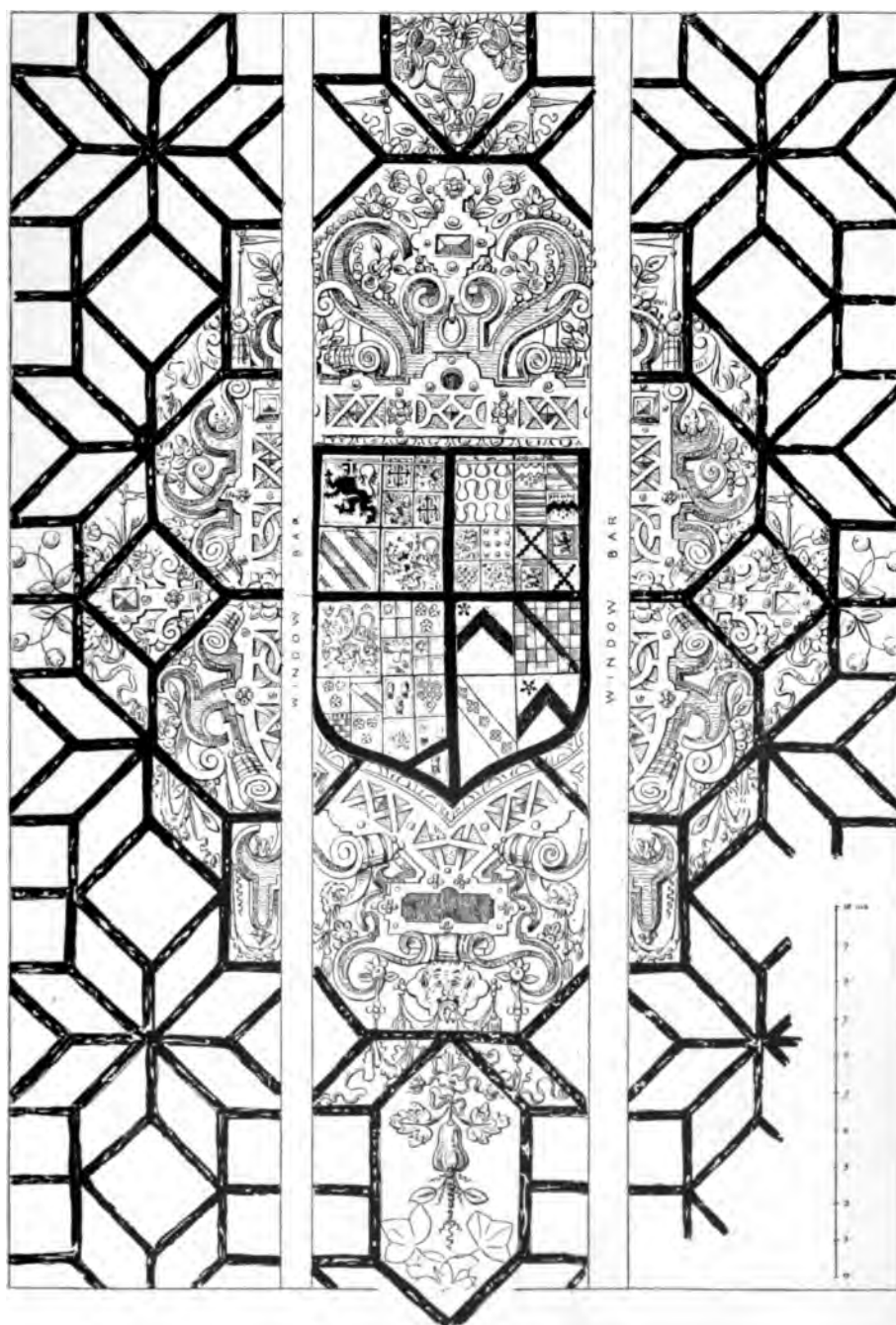


FIG. 7.—SOUTH WINDOW OF DINING ROOM, LIGHT III, A.

window. The pattern glazing which forms the ground of the lights follows the same design, and the shields are surrounded by similar strap-work and arabesques. But here the *whole* light is surrounded by delicate arabesques, and the effect is consequently richer and more elaborate. The colour is used in small quantities, generally warm, with much golden yellow. The inscriptions are placed on very small tablets under the shields, and are not so prominent a feature of the design as in the south window. The character of the lettering is somewhat similar to that employed in Lights III. 1 and 5 of the south window, but the names only are in capitals,<sup>1</sup> and the rest of the inscription in small letters, with a considerable amount of flourish. Immediately above the shield in each light is a medallion less than 2 inches in diameter; one of these medallions (II. 5) contains a mask, two others (II. 6, 7) lions' heads, and the remaining three (II. 3, 4, 8) contain little portrait busts, daintily executed with all the delicacy of miniatures. In the upper tier of lights the general effect is much simpler and less delicate than in the lights below, doubtless designedly so, as being further from the eye. The pattern glazing which forms the ground of the lights is simpler than below; Fig. 12 shows its design. The shields and the small inscription tablets below them are grouped together within strap-work, bounded by the straight lines of the glazing pattern.<sup>2</sup> The strap-work is almost entirely of yellow stain. The inscriptions are in black-letter, similar in character to those in the upper and middle lights of the south window. In three of these upper lights (I. 1, 2, and 8) the original shields and inscriptions have disappeared, and Constable shields, with their inscriptions and strap-work, have been inserted in their place, taken no doubt from the lower lights of the Constable window. One of the lights in the middle tier of the bay window (II. 2) is glazed with a series of fragments, on a ground of ordinary lozenge glazing<sup>3</sup>; the two extreme

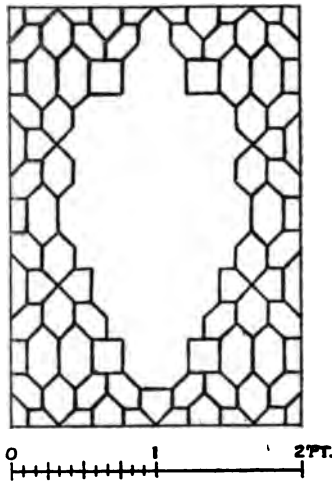


FIG. 12.—BAY WINDOW, GLAZING-PATTERN OF UPPER LIGHTS.

<sup>1</sup> In Lights II. 3, 4, 6 and 7, the names are in Roman capitals, and in Lights II. 5 and 8, they are in italic capitals.

<sup>2</sup> One of these lights (I. 4) is illustrated, very inadequately, in Shaw's *Details of Elizabethan Architecture*, Plate 14. See also *A History of Design*

in *Painted Glass*, by N. H. J. Westlake (1894), vol. iv., pl. 158, where the date of 1528 is of course an error.

<sup>3</sup> Both in this light, and in the last light (III. 5) of the south window, there are some small fragments of fourteenth century glass.

lights in this tier (II. 1 and 9) are of seventeenth-century date, with an architectural framework in perspective, and are quite inferior to Dininckhoff's work, both in design, colour, and execution.

In the original work in these windows a little pot-metal is used for the large simple charges of some of the shields, and possibly in the wreaths in the upper lights of the south window, but, with these exceptions, all the painting is executed on white glass.

The other window on the east side, to the north of the bay window, is devoted to the heraldry and genealogy of the Constable family. Sir William Fairfax's only son, Thomas (afterwards first Viscount Fairfax of Emley), married for his first wife Catharine, the eldest daughter of Sir Henry Constable of Burton Constable. As the licence for their marriage is dated 1594, the glazing of this window must be at least nine years later than Dininckhoff's work in the two other windows. Although the general treatment is similar, the ornament is larger in scale, and less delicate in design. The ground of the lights is pattern glazing of the same design in all (Fig. 13). Each of the lights in the upper tier contains a single shield, surrounded by strap-work in yellow stain, bounded by the lines of the pattern glazing, with an inscription immediately below the shield. The lights in the middle tier are treated in exactly the same manner, except that here two shields with their strap-work surroundings and inscriptions are placed immediately over one another, forming a double of the painted part in the upper lights. The general design of the middle lights is shown in Fig. 13, which illustrates Light II. 3; Fig. 14 represents in detail the lower part of the same light.<sup>1</sup> The lower lights are now glazed with clear glass. The three Constable panels now in the bay window (Lights I. 1, 2, and 8), which have evidently been re-

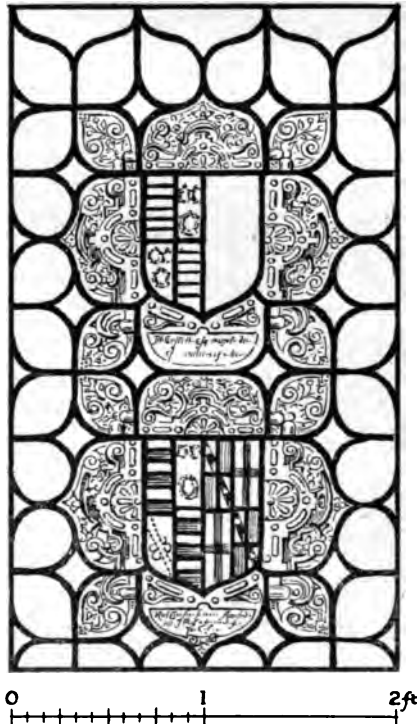


FIG. 13.—EAST WINDOW OF DINING ROOM.  
LIGHT II. 3.

<sup>1</sup> Fig. 14 is reproduced from Mr. Gotch's *Architecture of the Renaissance in*

*England*, ii. 103. I have added the arms and inscription.

moved from these lower lights, are of the same shape and design as the painted panels in the upper and middle lights of this window.<sup>1</sup>

I shall now proceed to describe in detail the heraldry, inscriptions, etc., in the glazing of these windows. In this description the Roman numerals indicate the horizontal tiers of the lights, I. referring to the upper, II. to the middle, and III. to the lower tier in each case. The lights in each tier are indicated by Arabic numerals, reading from left to right. The blazons of coats will not be repeated where they are exactly the same as coats which have previously been blazoned. Panels which have been inserted at a later date than that of the original glazing are distinguished by an asterisk.

I shall commence with the south, the Stapleton, window. The history and genealogy of the Stapleton family has already been exhaustively treated in this *Journal*,<sup>2</sup> and the reader is referred to Mr. H. E. Chetwynd-Stapylton's paper for pedigrees and illustrations of arms which may be compared with those set forth in this window.<sup>3</sup>

#### SOUTH WINDOW.

##### LIGHT I. I.

*Argent, a lion rampant sable.* STAPLETON.

Impaling—Quarterly.

1 and 4, *Sable, fretty or.* BELLEW.

2 and 3, *Or, a saltire and a chief gules.* BRUS.

Miles Staplitone Knight<sup>4</sup> married  
Sibbill daughter and heire of Thon  
Bellaque & had yllre Nicolas  
& Gilberte Staplitone  
and dyed in the 32 yere of Edw  
arde the firste.

<sup>1</sup> From inscriptions scratched on two of the plain quarries, it appears that this east window was re-leaded in the second half of the eighteenth century. The glass of all three windows has recently (1906) been taken out, repaired and refixed under Mr. Brierley's direction. Everything, including all patched work, has been replaced with scrupulous care.

<sup>2</sup> *The Stapletons of Yorkshire*, by H. E. Chetwynd-Stapylton. *Yorkshire Archaeological and Topographical Journal*, vol. viii., pp. 65, 223, 381, 427.

<sup>3</sup> See also the Stapleton pedigrees in the Visitations of Yorkshire. Tonge's, of 1530 (Surtees Soc. ed.), pp. 1-4, with some valuable notes by the editor, Mr. W. H. D. Longstaffe. Flower's, of 1563-4 (Harl. Soc. ed.), pp. 293-7.

Glover's, of 1584-5, and St. George's, of 1612 (Foster's ed.), pp. 332-3. Dugdale's, of 1665-6 (Surtees Soc. ed.), p. 224; and better in Mr. J. W. Clay's edition, i. 163-180. See also Foster's *Yorkshire Pedigrees, West Riding*, vol. ii.

<sup>4</sup> The first Stapleton in the window is Sir Miles, the son of Sir Nicholas, the judge, who died in 1290 (*Yorks. Archæol. Journal*, viii. 86-7). The date of Sir Miles's death in the window is an error, as he was slain at Bannockburn, 1314 (*Ibid.*, viii. 95). His wife, Sibill, was daughter and co-heir of John de Bella-aqua or Bellew and Laderina, sister and coheir of Peter de Brus. The Stapleton arms were probably derived from those of Brus—*Argent, a lion rampant azure*—differenced by substituting *sable* for *azure* as the tincture of the charge.

## LIGHT I. 2.

Quarterly. 1 and 4, STAPLETON. 2, BELLEW. 3, BRUS.

Impaling *Checky or and azure within a bordure of the first*,<sup>1</sup> a canton ermine. BRITTANY.

Nicolas Stapleton knight  
maired Elab . . . . .<sup>2</sup>

. . . . .

Stapleton & Gilberte  
Stapleton<sup>3</sup>

## LIGHT I. 3.

Quarterly.

I. and IV. Quarterly. 1 and 4, STAPLETON. 2, BELLEW. 3, BRUS.

II. and III. BRITTANY.

Encircled with the Garter charged with the motto of the order, and surmounted by a helm (no crest).

Miles Stapleton knight one of  
the founders of the order of the garter  
in the 9 seate at the kinges tyme<sup>4</sup>  
& had yllbe Nicholas Staple-  
tone and Gilberte St  
apleton<sup>5</sup>

## LIGHT I. 4.

Quarterly.

I. and IV. Quarterly. 1 and 4, STAPLETON. 2, BELLEW. 3, BRUS.

II. and III. BRITTANY.

Impaling—Quarterly.

1 and 4, *Ermine, a crescent or.* RICHMOND.

2 and 3, *Barry of eight or and gules.* FITZALAN OF BEDALE.

Gilbert Stapleton<sup>6</sup> Knight  
marged Agnes one of the dooghther<sup>6</sup>  
& heires of Brian Fitzallein  
and hed yllbe Miles  
Stapleton Knight and  
Brian Stapleton

<sup>1</sup> The bordure is generally blazoned *gules*, instead of *or* as here.

<sup>2</sup> Isabella, daughter of John of Brittany, earl of Richmond.

<sup>3</sup> No son Gilbert appears in either Mr. Chetwynd-Stapylton's or Mr. Clay's pedigrees.

<sup>4</sup> Sir Miles's stall plate at Windsor is illustrated in Plate 39 in *The Stall Plates of the Knights of the Order of the Garter*, 1348-1485, by W. H. St. John Hope, 1901.

<sup>5</sup> Light I. 3 should properly come after Light I. 4, unless the central position in the window has intentionally been given to the *primus fundator*. The sons' names seem to be incorrect.

<sup>6</sup> This Sir Gilbert was the second son of Sir Miles Stapleton and Sibill Bellew, and the father of Sir Miles, the *primus fundator* (Light I. 3), and of Sir Brian, K.G. (Light I. 5). The fine effigy of Brian Fitzalan is still in Bedale church.



LIGHT I. 5.

Quarterly.

I. and IV. Quarterly. 1, STAPLETON. 2, BRITTANY. 3, BRUS.  
4, BELLEW.

II. and III. FITZALAN OF BEDALE.

Impaling *Bendy of six argent and azure.* ST. PHILIBERT.

Encircled with the Garter charged with the motto of the order, and surmounted by a helm, and crest—*On a wreath, a Saracen's head in profile.*

Brian Stapleton knight of the garter  
in the 3 place at the kinges lyde & marged  
Alice doughter & one of the heires of  
hon S Milberte beinge his seconde wyfe  
& had yllbe Brian & Miles Stapleton  
knyghtes wch Miles was the firste of the  
house of Wighile & lyethe at Healowgh

LIGHT II. 1.

Quarterly.

1 and 4. *Argent, a lion rampant sable, charged with a mullet of five points of the field.* STAPLETON.

2 and 3. ST. PHILIBERT.

Impaling *Gules, a lion rampant argent charged with a fleur-de-lis azure.* ALDBROUGH.

Brian Stapleton knight, married  
one of the doughters and heires of William  
Aldbrughe knight, and had issue Brian  
Stapleton esquire ;

LIGHT II. 2.

Quarterly. 1 and 4, STAPLETON. 2, ALDBROUGH. 3, ST. PHILIBERT.

Impaling—Quarterly.

1 and 4. *Ermine, a cross moline sable.* GODDARD.

2 and 3. *Or, a lion rampant azure debriused by a bend compony argent and gules.* SUTTON.

Brian Stapleton knight, married  
Agnes the eldest doughter and one of  
the heires of Hon Goddearde knight,  
and had issue Brian Stapleton knight,

LIGHT II. 3.

Quarterly. 1, *Argent, a lion rampant sable charged with a mullet of five points of the field.* STAPLETON. 2, GODDARD.  
3, ST. PHILIBERT. 4, ALDBROUGH.

## Impaling—Quarterly.

- 1 and 4. *Argent, a chevron sable, in the dexter chief a cinquefoil pierced of the last.* REMPSTON.
2. *Checky argent and gules, a bend sable.* BECKERING.<sup>1</sup>
3. *Argent, on a bend azure five crosses crosslet or.* LOUDHAM.<sup>1</sup>

Brian Stapleton knight, married  
 Heble one of the daughters and heire  
 of Thomas Remstone knight, and had  
 issue, Brian Stapleton, and Thomas  
 Stapleton,

## LIGHT II. 4.

## Quarterly.

## I. Quarterly. (STAPLETON.)

1. STAPLETON.
2. Quarterly. 1 and 4, GODDARD. 2 and 3, SUTTON.
3. ST. PHILIBERT.
4. ALDBROUGH.

## II. Quarterly. (LOVEL.)

1. *Barry nebuly of six, or and gules.* LOVEL.<sup>2</sup>
2. Quarterly. (DEINCOURT.)
  1. *Azure, a fess dancetty between ten billets or.* DEINCOURT.
  2. *Barry of six argent and azure, a bend gules.* GREY OF ROTHERFIELD.
  3. *Barry of eight or and gules.* FITZALAN OF BEDALE.
  4. *Argent, a fess dancetty between ten<sup>3</sup> billets sable.* DEINCOURT.
3. Quarterly. (HOLLAND.)
  - 1 and 4. *Azure, semy of fleurs-de-lis, a lion rampant gardant argent.* HOLLAND.
  2. *Gules, nine bezants or.* ZOUCHE.
  3. *Gules, seven mascles joined, three, three, and one, or.* DE QUINCY, EARL OF WINCHESTER.
4. Quarterly. (BURNELL.)
  - 1 and 4. *Or, a saltire engrailed sable.* BOTETOURT.<sup>4</sup>
  - 2 and 3. *Argent, a lion rampant sable crowned or, within a bordure azure.* BURNELL.

<sup>1</sup> Sir Thomas Rempston married Alice, daughter and heiress of Sir Thomas Beckering by Isabel, sister and coheir of Sir John Loudham. See Longstaffe's note 2, page 2, Tonge's Visitation.

<sup>2</sup> Bassett, adopted for Lovel. The stall plate of Sir Francis Lovel, viscount Lovel of Tichmarsh and lord Holland has—Quarterly. 1, Lovel. 2, Deincourt. 3, Holland. 4, Grey of Rotherfield, with

Burnell on an escutcheon of pretence (Hope's *Stall Plates*, pl. 85).

<sup>3</sup> The number of billets varies in the different shields.

<sup>4</sup> "Monsire de Botetort, port d'or, une salter engrele sable." *Roll of Edward III.*, N. H. Nicolas's ed., p. 29. Quartered with Burnell in the stall plate of Sir Hugh Burnell, lord Burnell (Hope's *Stall Plates*, pl. 23).

III. Quarterly. (BEAUMONT.)

1. *Azure, semy of fleurs-de-lis, a lion rampant or.* BEAUMONT.
2. Quarterly. (PHELIP.)
  - 1 and 4. *Quarterly gules and argent, in the first quarter an eagle displayed or.* PHELIP.<sup>1</sup>
  2. *Azure, three cinquefoils or.* BARDOLF.
  3. *Or, an inescutcheon in an orle of eight martlets argent.* ERPINGHAM.<sup>2</sup>
3. Quarterly. (BARDOLF.)
  - 1 and 4. *Azure, three cinquefoils or.* BARDOLF.
  2. *Argent, a bend azure, a chief gules.* CROMWELL.
  3. *Checky or and gules, a chief ermine.* WARREN.
4. Quarterly. (COMYN, EARL OF BUCHAN.)
  - 1 and 4. *Azure, three garbs or.* COMYN, EARL OF BUCHAN.
  2. *Gules, seven mascles joined, three, three, and one, or.* DE QUINCY, EARL OF WINCHESTER.
  3. *Gules, a cinquefoil argent (or ermine).<sup>3</sup>* BEAUMONT, EARL OF LEICESTER.

IV. Quarterly. (REMPSTON.)

- 1 and 4. REMPSTON.
2. BECKERING.
3. LOUDHAM.

Brian Stapleton knight, married  
 Elizabeth, daughter of the Lorde Scroo :  
 pe- & had issue, Richard Stapleton knight, &  
 of his second mat, married Jane daughter of  
 Bassett, of Louenane, by whom he had Brian,  
 Stapleton esquire ;<sup>4</sup>

LIGHT II. 5.

Quarterly. (STAPLETON.)

- I. STAPLETON.
- II. Quarterly. (REMPSTON.)
  - 1 and 4. REMPSTON.
  2. BECKERING.
  3. LOUDHAM.

<sup>1</sup> So on the stall plate of Sir William Phelip, lord Bardolf (Hope's *Stall Plates*, pl. 48).

<sup>2</sup> In Tonge's Visitation, p. 1, the field is blazoned *vert*. In the *Roll of Edw. III.* (p. 48), "Monsire de Empingham, sable, a une orle de merletts argent, a une escuchion argent." The field is *vert* in the stall plate of Sir Thomas Erpyngham (Hope's *Stall Plates*, pl. 42).

<sup>3</sup> The cinquefoils in this coat have an ermine spot on each petal. Cf. Longstaffe's note 1, p. 3, Tonge's Visitation.

<sup>4</sup> Chronologically this light, II. 4, should come after II. 5. The Sir Brian Stapleton (d. 1496) who married Joan Lovel (II. 5) was the son of the Sir Brian (d. 1467) who married Isabel Rempston (II. 3), and the father of the Sir Brian (d. 1550) who married Elizabeth Scrope and Joan Bassett (II. 4).

## III. ALDBROUGH.

## IV. GODDARD.

Impaling—Quarterly. (LOVEL.)

1 and 4. LOVEL.

2. DEINCOURT.

3. HOLLAND.

On an escutcheon of pretence, BURNELL.

Brian Stapleton knight, married  
 Jaine siter of Francis Louell, añ one of  
 the heires, of Viconte Louell, and had issue  
 Brian, and george Stapleton, of reimp:  
 Stone esquire,

## LIGHT III. 1.

The shield is exactly the same as that in Light II. 4, blazoned  
 above, but here with—*over all, a label of three points argent.*

*RICHARD STAPLETON KNIGHT  
 MARRIED TOMAZIN, ONE OF THE DOV  
 GHTERS & HEIRES OF THOMAS AMADAS  
 & HAD ISSUE, BRIAN STAPLE-  
 TONE ESQUIRE.<sup>1</sup>*

## LIGHT III. 2.

Quarterly, four grand quarters, of which I. (LOVEL) is the same  
 as II. in Light II. 4; II. (STAPLETON) is the same as I. in that  
 light; III. (BEAUMONT) is the same as III. in that light; and IV. has  
 disappeared (now clear glass). Doubtless this shield was exactly the  
 same as that in Light II. 4, and the first and second grand quarters  
 have been transposed.

Brian Stapleton esquire, married the  
 Ladve Elenore, who died wthoute yff  
 ue; & in his secoñ, married Elizabethe the  
 6. daughter to the lorde Darcye, of the nor  
 the, by whome he had yssue, Richarde  
 Stapleton esquire, & many other soñ  
 & doughters.<sup>1</sup>

## LIGHT III. 3.

The shield is exactly the same as that in Light II. 4. The  
 inscription has disappeared.

<sup>1</sup> The Richard Stapleton (d. 1585) of  
 Light III. 1, and his son Brian (d. 1606)  
 of Light III. 2, were the heads of the  
 Carlton family in Sir William Fairfax's  
 time. Brian's first wife, Eleanor (Light

III. 2), was daughter of Ralph Nevill,  
 earl of Westmorland; his second wife,  
 Elizabeth, daughter of George, lord  
 Darcy, was sister of Sir William Fairfax's  
 first wife.

## LIGHT III. 4.

The shield is exactly the same as that in Light II. 4.

Brian Stapleton, esquire seconde  
of · 8 · Brian Stapleton knight, & <sup>sonne,</sup> married  
Allice daughter of Francis Roofe,  
of Laxtone esquire, by who:  
me he had yssue Ianie Staple:  
tone;<sup>1</sup>

## LIGHT III. 5.

Quarterly of six. (FAIRFAX.)

1. *Argent, over three bars-gemels gules a lion rampant sable.* FAIRFAX.
2. *Argent, a chevron between three hind's heads erased gules.* MALBIS.
3. *Barry of six argent and gules, on a canton sable a cross patonce or.* ETTON.

4. *Or, a bend azure.* CARTHORPE.

5. *Argent, a chevron between three martlets sable.* AYRUM or ERGHAM.

6. *Argent, a fess between two lions passant gardant sable.* FOLYFAYT.

Impaling—Quarterly, four grand quarters, STAPLETON, LOVEL, BEAUMONT, and REMPSTON, all exactly the same as the shield in Light II. 4.

Crests, each on a helm.

Dexter. *On a wreath or and azure, a lion's head erased regardant sable.*

Sinister. *On a wreath or and azure, a Saracen's head in profile.*

On a quarry below the shield is a dial (Fig. 8). The motto on scrolls on each side of the dial reads:

PRETERIT ISTA DIES, NESCITVR ORIGO SECVNDI  
AN LABOR, AN REQVIES, SIC TRANSIT GLORIA MVNDI,

On a tablet below the dial is the inscription:

*Bærnard Dininckhoff;  
fecit Ano. 1585.*

Between this tablet and the dial, on a crest coronet between two horns, is a small portrait bust (probably of the artist), in a blue blouse spotted with white, and a large collar. Under the tablet is a tiny shield bearing—*Azure, three inescutheons two and one argent.*

Below is the inscription—

IAINE STAPLETON DOUGHT  
ER & HEIRE OF BRIAN STAPLETON  
ESQUIRE, WHOE MARRIED · S · WILLM  
FAIRFAX KNIGHT, BIWHOME HE HAD  
ISSVE THOMAS FAIRFAX ESQUIRE

<sup>1</sup> This Brian Stapleton was son of Sir Brian (d. 1550) and his second wife, Joan Bassett, and was of Burton Joyce, Notts.

His daughter and heiress, Jane, was Sir William Fairfax's second wife.

## BAY WINDOW.

## LIGHT I. 1.\*

Quarterly of nine. (CONSTABLE.)

1. CONSTABLE. 2. LASCELLES. 3. UMFRAVILLE. 4. EURE.

5. ATON. 6. VESCI.<sup>1</sup>

7. *Gules, a saltire argent, on the fess point a mullet sable for difference.* NEVILL.

8. *Azure, a cross patonce or.* WARD.

9. *Sable, a fess between three garbs argent.* BENELEY.<sup>2</sup>

Impaling—Quarterly. (DORMER.)

1 and 4. *Azure, ten billets or, on a chief of the second a demi-lion rampant issuing sable.* DORMER.

2. *Gules, on a chevron argent three martlets sable, on a chief dancetty of the second three escallops of the first.* DORRE alias CHOBBS.

3. *Argent, three fleurs-de-lis azure.* COLLINGRIDGE.

*Sir John Constable knight, Lord of halsome, married Ionne the 2 doughter; & one of thires of Rraphe Nevell of Thorton brigdes esq3, & the had ifsue John & other moe.<sup>3</sup>*

## LIGHT I. 2.\*

This is a patched shield. The first quarter, which now reads UMFRAVILLE, LASCELLES, CONSTABLE, has been reversed. In the second quarter the dexter is plain *azure*, and the sinister is *argent*, with part of the head of a lion *sable*, patched with a piece of cartouche work. The third quarter has NEVILL and BENELEY. The fourth is a reversed quarterly of six, with the tops of the upper three quarters cut off, and now reads—1. VESCI. 2. ATON. 3. EURE. 4. BENELEY. 5. WARD. 6. NEVILL.

The inscription, which belongs to the shield in the previous light (1), reads—

*Sir Henry Constable knight married Marget doughter of Willm D(or)marr of eathorpe in the counte of buckingham knight, the had ifsue henry chatherine & other moe.<sup>4</sup>*

<sup>1</sup> The blazons of these six quarters are the same as in the dexter half of the lower shield in Light II. 4 of the Constable window (see p. 169 *post*), from which window this panel has doubtless been removed.

<sup>2</sup> So in Flower's Visitation of Yorkshire, 1563-4 (Harl. Soc. ed.), p. 67.

<sup>3</sup> This inscription does not belong to the arms above it.

<sup>4</sup> This inscription belongs to the arms in Light I. 1. The Catharine of this inscription was the first wife of Thomas Fairfax, afterwards Viscount Fairfax of Emley.

LIGHT I. 3.

*Argent, over three bars-gemels gules a lion rampant sable.* FAIRFAX.

Jhon Fairfax.

LIGHT I. 4.

FAIRFAX.

*Impaling—Argent, a chevron between three lion's heads erased gules.*

ROCLIFF.

Willm Fair-  
fax married  
Elleene ye daug  
hter of S. Jhon  
Roucliff of Colth  
roppe,

LIGHT I. 5.

FAIRFAX.

*Impaling—Argent, a chevron between three hind's heads erased gules.*

MALBIS.

Thomas Fairfax  
married the Da  
ughter & one of  
the heires of Sr  
Willm Mal

LIGHT I. 6.

Quarterly. 1. FAIRFAX. 2. MALBIS. In place of the third and fourth quarters, a piece of glass has been inserted, bearing—Quarterly. 1 and 4. *Argent, a chevron gules between three fleurs-de-lis azure.* BELASYSE. 2. *Argent, a pale engrailed endorsed sable.* BELASYSE. 3 is plain *or*.

*Impaling—Or, a bend sable.* MAULEY.

Thomas Fair-  
fax  
married the Da  
ughter of the L  
Malū & died w<sup>th</sup>  
out yssue

<sup>1</sup> This is probably John Fairfax, of Walton (1261–1314), the seventh Fairfax in the pedigree in the *Herald and Genealogist*, vii. 145. Lights 1 and 2 doubtless contained originally the arms of two of the earlier Fairfaxes. The genealogy of the Fairfaxes as set forth

in this window may be compared with the pedigree mentioned above. The names are not always in the correct order in the window, and the William Fairfax who married Constance de Mauley in 1392 is called Thomas in Light I. 6.

## LIGHT I. 7.

Quarterly. 1 and 4, FAIRFAX. 2 and 3, MALBIS.<sup>1</sup>

Impaling—*Barry of eight argent and gules, on a canton sable a cross patonce or.* ETTON.

Thomas Fair-  
fax married the  
daughter & one  
of the heires of y<sup>e</sup>  
hon of Etton.

LIGHT I. 8.\*<sup>2</sup>

Quarterly of fifteen. (FAIRFAX.)<sup>3</sup>

1. FAIRFAX. 2. MALBIS. 3. ETTON. 4. CARTHORPE. 5. AYRUM or ERGHAM. 6. FOLYFAYT. 7. STAPLETON. 8. BELLEW. 9. BRITTANY. 10. FITZALAN OF BEDALE. 11. ST. PHILIBERT. 12. ALDBROUGH. 13. GODDARD. 14. REMPSTON. 15. LOVEL.

Impaling—Quarterly of nine. (CONSTABLE.)<sup>4</sup>

1. CONSTABLE 2. LASCELLES. 3. UMFRAVILLE. 4. EURE. 5. ATON. 6. VESCI. 7. NEVILL. 8. WARD. 9. BENELEY.

*Thomas Fairfaix esq<sup>r</sup>, sonne & heire of Sir Willm  
Fairfaix of gilling knight married Chatherin  
eldist daughter of Sir Henre Constable  
knight,*

## LIGHT I. 9.

Quarterly. (FAIRFAX.)<sup>5</sup>

1. MALBIS. 2 and 4, FAIRFAX. 3. ETTON.

Impaling—1 and 3. AYRUM or ERGHAM. 2 and 4. CARTHORPE.

Richard Fairfax  
married Eustace  
one of y<sup>e</sup> daugh-  
ters & heires  
of Cowthropp  
Argum

<sup>1</sup> The quarters 3 and 4 are patched.

<sup>2</sup> The pattern of the leading around this shield is the same as in the Constable window, from which this panel has doubtless been removed.

<sup>3</sup> Quarters 1 to 6 (FAIRFAX) are the same as in the dexter half of the shield in Light III. 5 of the south window, except that the Etton coat is here drawn as *Barry of eight*, &c. The STAPLETON quarterings, 7 to 15, are the same as in

the shields in Lights I. 1, 2, 4 and 5, and II. 1, 2, 3 and 4, of the south window, except that in 7 the lion of the Stapleton coat is charged on the shoulder with a *crescent argent for difference*.

<sup>4</sup> The blazons of the nine Constable quarters in the impalement are the same as in the dexter half of the shield in Light I. 1 of this (bay) window.

<sup>5</sup> These quarters have evidently been disarranged in reglazing.



LIGHT II. I.\*<sup>1</sup>

Quarterly of fifteen. (FAIRFAX.)

1. FAIRFAX. 2. MALBIS. 3. ETTON. 4. CARTHORPE. 5. AYRUM.
6. POLYFAYT.<sup>2</sup> 7. STAPLETON. 8. BELLEW. 9. FITZALAN OF BEDALE.
10. ST. PHILIBERT. 11. ALDBROUGH. 12. GODDARD. 13. REMPSTON.
14. LOVEL. 15. BEAUMONT.

Impaling—Quarterly. (HOWARD.)

1. *Gules, a bend between six crosses crosslet fitchy argent*, the bend charged with the Flodden augmentation. HOWARD.

2. *Gules, three lions passant gardant in pale or, in chief a label of three points argent*. BROTHERTON.

3. *Checky or and azure*. WARREN.

4. *Gules, a lion rampant argent*. MOWBRAY.

*On the fess point, a mullet sable pierced argent*.

Crests, each on a helm.

Dexter. *On a wreath or and sable (?)*, a lion's head erased sable.

Sinister. *On a chapeau gules turned up ermine, a lion statant (gardant) or, (ducally gorged argent)*.

THOMAS LORD VICOUNT FAIRFAX  
 MARRIED ALATHIA, THE DAUGHTER  
 OF SIR PHILLIP HOWARD KNIGHT  
 AND HATH ISSUED WILLIAM  
 CHARLES, MARIE, JOHN, KATHERIN

## LIGHT II. 2.

Quarterly of six. (FAIRFAX.)<sup>3</sup>

Impaling—*Gules, on a chief indented argent three lions rampant azure*.<sup>4</sup>

In the lower part of the light—Quarterly.<sup>5</sup>

1 and 4. *Argent, a lion rampant sable debruised by three bars-gemels gules*. FAIRFAX.

2 and 3. *Argent, on a fess sable three bezants between three fleurs-de-lis gules*. THWAITES.

<sup>1</sup> The glazing of this light and that of Light II. 9 have an architectural setting, with two stories of classical orders, and a semicircular arch over the upper order.

<sup>2</sup> The lions here are drawn *passant*, not *passant gardant*.

<sup>3</sup> The six Fairfax quarterings in this light are the same as the first six quarters in the dexter half of the shield in Light II. 1 of the same window.

<sup>4</sup> WORMELEY of Hatfield (Glover's Visitation of Yorkshire, 1584-5, Foster's ed., p. 350). WORMELEY of Rikhall (Dugdale's Visitation of Yorkshire, 1665, Surtees Soc. ed., p. 211). But I cannot find any marriage with Wormley in any

of the Fairfax pedigrees, except that of Dorothy Fairfax with Edward Wormley of Riccall in 1666 (Dugdale's Visitation of Yorkshire, Mr. J. W. Clay's ed., II. 195).

<sup>5</sup> This shield is an insertion, and differs entirely in character from all other shields in the glazing. The Fairfax lion is much more English in its drawing than elsewhere in the glass, and this is the only shield in the windows in which the lion is *debruised* by the bars-gemels. The glazing of the whole light has been much patched, and much of it has been reglazed with odd bits, among which are several pieces of fourteenth-century grisaille.

## LIGHT II. 3.

Quarterly of six. (FAIRFAX.)<sup>1</sup>Impaling—*Azure, a lion rampant argent crowned or.* GERARD.<sup>2</sup>

· S · THOMAS, FAIR :

*FAIRFAX, knight married the do :**daughter of · S · Richarde Ger :**Bartholme of Lancashire*<sup>3</sup>

## LIGHT II. 4.

Quarterly of six. (FAIRFAX.)<sup>4</sup>Impaling—*Gules, a saltire argent, on the fess point a mullet sable pierced argent.* NEVILL OF THORNTON.

WILLIAM FAIRFAX,

*married Katherine · y · daughter :**of Neuill, of Thornton**Briggs*<sup>5</sup>

## LIGHT II. 5.

Quarterly of six. (FAIRFAX.)<sup>6</sup>

Impaling—Quarterly. (GASCOIGNE.)

1. *Argent, on a pale sable a luse's head erect and coupé or.* GASCOIGNE.2. *Gules, a saltire argent, on the fess point an escallop sable.* NEVILL.3. *Gules, a lion rampant or within a bordure compony or and gules.*

MOWBRAY.

4. *Vairy, or and gules.* FERRERS.

THOMAS FAIRFAX ·

*married Anne the daughter**of · S · William Gascoigne**of Gawthrope,*<sup>7</sup>

## LIGHT II. 6.

Quarterly of six. (FAIRFAX.)<sup>8</sup>Impaling—Quarterly, of four above and two below.<sup>9</sup>1 and 4. *Or, an inescutcheon between six martlets sable.*2 and 3. *Or, three boar's heads erased within a bordure engrailed sable.*<sup>1</sup> The six Fairfax quarterings in this light are the same as in the first six quarters in the dexter half of the shield in Light I. 8 of the same window.<sup>2</sup> This impalement is blazoned—*Sable, a lion ermine crowned gold*, in the Fairfax pedigree in Flower's Visitation of Yorkshire, 1563-4 (Harleian Soc. ed.), p. 117.<sup>3</sup> The inscription is in gold letters on a black ground, on a small tablet under the shield. Over the shield, in a medallion, is a portrait bust of a gentleman with beard and moustache, wearing hat and ruff.<sup>4</sup> All as in the previous light, II. 3.<sup>5</sup> The inscription is in gold letters on a black ground, on a small tablet under the shield. Over the shield, in a medallion, is a portrait bust of a gentleman with beard and moustache, wearing hat and ruff, yellow silk vest, and black fur-lined cloak.<sup>6</sup> All as in Light II. 3.<sup>7</sup> Inscription in gold letters on black ground. A mask in medallion over the shield.<sup>8</sup> All as in Light II. 3.<sup>9</sup> The four quarters in the upper half of the impalement are on a piece of inserted glass. The impalement originally was doubtless Sherburne quartering Bailey.

5. *Vert, an eagle displayed argent, armed or.* BAILEY.  
 6. *Argent, a lion rampant vert.* SHERBURNE.

THOMAS FAIRFAX  
*married Elizabeth daughter*  
*of S. Robert Sherebourne of*  
*Stanthorpe*<sup>1</sup>

LIGHT II. 7.

Quarterly of six. (FAIRFAX.)<sup>2</sup>

Impaling—*Gules, three fleurs-de-lis argent, a chief vair, on the fess point a crescent or.* PALMES.

· S · NICOLAS · FAIR :  
*FAIR knight married Ja :*  
*ne the daughter of guie*  
*palmes : seriant at*  
*Lawe,*<sup>3</sup>

LIGHT II. 8.

Quarterly of fifteen. (FAIRFAX.)<sup>4</sup>

1. FAIRFAX. 2. MALBIS. 3. ETON. 4. CARTHORPE. 5. AYRUM.  
 6. FOLVAYT. 7. STAPLETON. 8. BELLEW. 9. BRITTANY. 10. FITZALAN  
 OF BEDALE. 11. ST. PHILIBERT. 12. ALDBROUGH. 13. GODDARD.  
 14. REMPSTON. 15. LOVEL.

Impaling—Quarterly of nine. (CONSTABLE.)<sup>5</sup>

1. CONSTABLE. 2. LASCELLES. 3. UMFRAVILLE. 4. EURE. 5. ATON.  
 6. VESCI. 7. NEVILL. 8. WARD. 9. BENELEY.

THOMAS, FAIRFAX  
*Esquire . sonne & heire of*  
*· S · Willm Fairfax,*  
*knighte,*<sup>6</sup>

In a lozenge quarry below:—

MARIED,  
 KATHERIN,  
 ELDIST DOUGH:  
 TER OF SIR HEN:  
 KY CONSTABLE  
 KNIGHT,

<sup>1</sup> Inscription as before. A lion's head in medallion over the shield.

<sup>2</sup> All as in Light II. 3.

<sup>3</sup> Inscription as before. A lion's head in medallion over the shield.

<sup>4</sup> The Fairfax quarterings in this shield are the same as those in Light I. 8 of the bay window, except that in 7 there is no crescent for difference, and in 9 the bordure is *gules*.

<sup>5</sup> The blazons of the nine Constable quarters in the impalement are the same as in the dexter half of the shield in Light I. 1 of this (bay) window, except that 3 is here—*Argent, a bend engrailed between two crosses moline gules*.

<sup>6</sup> Inscription as before. Over the shield, in a medallion, is a portrait bust of a young gentleman in a ruff.

<sup>7</sup> This quarry is evidently a later insertion, after the marriage of Thomas Fairfax with Catharine Constable in 1594.

## LIGHT II. 9.\*

Quarterly of fifteen. (FAIRFAX.)<sup>1</sup>

Impaling—Quarterly of six. (FORTH.)<sup>2</sup>

1. *Gules, two bends vairy argent and gules, on a canton or a demi-lion passant<sup>3</sup> sable langued gules.* FORTH.
2. *Per pale azure and gules, three lions rampant argent.* POWELL.
3. *Argent, on a cross gules five mullets or.* "BROKENSPEARE."
4. *Per pale azure and sable, three fleurs-de-lis or.* GOCH.
5. *Argent, a lion rampant sable crowned or.* MORLEY.
6. *Sable, a chevron between three boy's heads coupé argent, round the neck of each a snake entwined proper.* VAUGHAN.

Crests, each on a helm.

Dexter. *On a wreath argent and gules, a lion's head erased sable.*

Sinister. *On a wreath argent and gules, a bear's head sable muzzled gules with buckles or.*

*Sir THOMAS FAIRFAX OF  
Gillin knight married Mary  
daughter of Robert Forth  
of Butley in the County of Su:  
ffox esq<sup>r</sup>, and first wife to  
Sir Willm Bamburg of  
Howsam knight & Barroner<sup>4</sup>*

## EAST WINDOW

IN NORTH PART OF EAST WALL.

## LIGHT I. 1.

*Or, a fess compony argent and azure, in chief a lion passant gules.*

CONSTABLE.

*Willm Constable Lor<sup>d</sup> of halfome in holdernes; 2 son  
of Stephen Constable, & had issue Robert,  
and lived in the time of Ricard the first;*

## LIGHT I. 2.

*Or, a fess compony argent and azure, in chief a lion passant gules.*

CONSTABLE.

Impaling—Barry of six or and azure. OYRI (adopted by Constable).

*Sir Robert Constable knight married Adela the  
daughter & one of the heires of Godfraie Oiry  
Lor<sup>t</sup> Gedeney, & the had issue willm &  
Fulco knight.*

<sup>1</sup> As in Light II. 1.

<sup>2</sup> For the quarterings of Forth of Butley, see Add. MS. 19, 130, pp. 75-83; Davy's Suffolk Collections; and Harl. MS., 1560, fo. 277.

<sup>3</sup> Blazoned in the armories as a *demi-greyhound*, but here drawn more like a *demi-lion*.

<sup>4</sup> The glazing of this light has an architectural setting similar to that in Light II. 1 of this window.

LIGHT I. 3.

*Or, a fess compony argent and azure, in chief a lion passant gules.*

CONSTABLE.

Impaling—*Argent, a fess gules between three popinjays vert.* THWENG.

*Willm Constable esq<sup>3</sup> married Cicile daughter of  
Marmaduck Thewnge, the had issue Simond and  
Godfrad; the lived in the time of henri the 3;*

LIGHT I. 4. •

*Barry of six or and azure.* CONSTABLE (OYRI).<sup>1</sup>

*Symon Constable esq<sup>3</sup> married Chatherine  
daughter . . . . .<sup>2</sup> & the had issue Robart  
an lived in the time of Edward the  
first.*

LIGHT II. 1A.<sup>3</sup>

CONSTABLE.

Impaling—*Argent, three chaplets gules.* LASCELLES.

*Robert Constable esq<sup>3</sup> married Anise daughter &  
one of the hires of Roger Lascelles of Kirckbikno  
wle knight; & had issue Jhon & Willm;*

LIGHT II. 2A.

Quarterly. 1 and 4. CONSTABLE. 2 and 3. LASCELLES.

Impaling—*Or, a chevron gules, a chief vair.* ST. QUINTIN.

*John Constable esq<sup>3</sup> married Albrigid the dough  
ter of John Sturmy in holdernes<sup>4</sup>; & the had issue  
John*

LIGHT II. 3A.

Quarterly. 1 and 4. CONSTABLE. 2 and 3. LASCELLES.

Impaling—*(Blank.)*

*John Constable esq<sup>3</sup> married M . . . . .<sup>5</sup> daughter  
of . . . . .<sup>6</sup> an the had issue Willm.*

<sup>1</sup> From this light onward the barry coat of Oyri is adopted as the Constable coat. All the following coats which are named as CONSTABLE in this window, and in the Constable panels which have been removed to the bay window (Lights I. 1, 2 and 8), are this barry coat.

<sup>2</sup> Blank. So also in Visitation of Yorkshire, 1584-5 (Foster's ed.), p. 56. According to the Constable pedigrees, this lady was the daughter of Robert Cumberworth, and relict of Sir John Danthorpe.

<sup>3</sup> There are two shields in each light of this middle tier. Chronologically the four upper shields should be read before the four lower. I have therefore followed this order, marking the upper shields A, and the lower shields B.

<sup>4</sup> This seems to be a mistake. Albreda appears to have been a St. Quintin, and John Sturmy her second husband.

<sup>5</sup> Indistinct, probably Maud.

<sup>6</sup> Blank.

## LIGHT II. 4A.

Quarterly. 1 and 4. CONSTABLE. 2 and 3. LASCELLES.

Impaling—*Quarterly azure and argent, in the first quarter a fleur-de-lis or.* METHAM.

*Willm Constable knight married the daughter  
of Metham, the had issue John Constable.*

## LIGHT II. 1B.

Quarterly. 1 and 4. CONSTABLE. 2 and 3. LASCELLES.

Impaling—*Gules, a cinquefoil between eight crosses flory or, over all a bend engrailed argent.* UMFRAVILLE.

*Sir John Constable knight married Margerit the  
daughter & one of the heares of Thomas hum  
framvill of harbottel knight; the had issue  
John*

## LIGHT II. 2B.

Quarterly. 1 and 4. CONSTABLE. 2. LASCELLES. 3. UMFRAVILLE.

Impaling—*Azure, three chevrons braced or, a chief of the last.* FITZ HUGH.<sup>1</sup>

*Sir Iohn Constable knight married Lora daughter  
of henry hugonis, Lord & barron of rauen:  
sworth; & the had issue Raphe & other mo*

## LIGHT II. 3B.

Quarterly. 1 and 4. CONSTABLE. 2. LASCELLES. 3. UMFRAVILLE.

Impaling—Quarterly. (EURE.)

1 and 4. *Quarterly or and gules, on a bend sable three escallops argent.* EURE.

2 and 3. *Or, a cross sable.* VESCI.

*Raphe Constable esq3 married Anne the doug  
hter of Robrt Ewry esq3; the had issue  
John Constable*

## LIGHT II. 4B.

Quarterly of six. (CONSTABLE.)

1. CONSTABLE. 2. LASCELLES. 3. UMFRAVILLE. 4. EURE. 5. *Barry of six or and azure, on a canton (gules) a cross flory (argent).* ATON.<sup>2</sup>  
6. VESCI.

Impaling—Quarterly of nine. (METHAM.)

1. *Quarterly azure and argent, in the first quarter a fleur-de-lis or.* METHAM.

<sup>1</sup> *Azure, fretty and a chief or* on the stall plate of Sir Henry Fitzhugh, lord Fitzhugh (Hope's *Stall Plates*, pl. 47).

<sup>2</sup> Came in with Eure.

2. *Gules, an eagle displayed argent debruised by a bendlet azure.*  
HAMELTON.
3. *Argent, on a bend sable three bezants.* MARKENFIELD.
4. *Argent, a lion rampant sable.* STAPLETON.
5. *Sable, fretty or.* BELLEW.
6. *Argent, a lion rampant azure.* BRUS.
7. *Argent, two bars gules, on a canton of the last (a lion passant) or.*  
LANCASTER.
8. *Gules, two bars-gemels and a chief or.* RICHMOND.
9. *Paly of six gules and argent, a bend counterchanged.* POLLINGTON.

*Sir Iohn Constable knight married Agnes the  
doughter of Sir Thomas Mettham knight;  
an the had ifsue John & other moe,*

### THE FRIEZE.

The frieze of the "great chamber" is painted on boards, and displays the arms of the gentlemen of Yorkshire of Sir William Fairfax's time. The arms are arranged in wapentakes, the positions of which in the frieze are indicated on the plan of this room (Fig. 6) by the initials R.P.L., BU., L.W.S., &c. &c. Each wapentake is represented by a tree, across the lower part of the trunk of which is a white label bearing the name of the wapentake. The shields of arms are represented as suspended from the boughs of the tree, the foliage of which forms their background. Below are flowers and shrubs, with various animals disporting themselves. Among the animals represented are the deer, bear, goat, bull, lion, unicorn, elephant, camel, squirrel, otter, fox, boar, porcupine (or hedgehog), beaver, ape, dog, wyvern, griffin, and cockatrice, though in some cases the representation is so curious that it is by no means easy to decide exactly what animal is intended.<sup>1</sup>

At the north-east corner of the room the arms in the frieze are interrupted by a representation of a party of musicians. Of these there are six in all, four on the eastern part of the north wall, and two on the northern part of the east wall—three gentlemen and three ladies, placed alternately. All are seated on benches, on which are six open books, and two closed books at the ends. The three gentlemen are playing viols, probably one treble and two tenors.

<sup>1</sup> One bay of the frieze (Rydale cum Pickering Lythe) is illustrated in Shaw's *Details of Elizabethan Architecture*, pl. 15.

The ladies are playing small lutes of the usual early type. Behind the figures is trellis-work, with vines and grapes, roses and honeysuckles.<sup>1</sup>

The "Regester of all the gentlemens armes in ye great chamber," already mentioned,<sup>2</sup> was evidently what we know as Sir William Fairfax's Book of Arms, which was no doubt compiled by or for Sir William for the painting of this frieze. Mr. Joseph Foster has printed, from Harl. MS. 1394, "The Copy of Sir William Fayrfax' booke of Arms of Yorkshire,"<sup>3</sup> and I have collated the arms in the frieze with this copy. There are arms in the frieze which do not occur in this copy, and vice versa, and the same remark is true of the other three copies in the British Museum. The copy which Mr. Foster has printed is at the end (fo. 341 et seq.) of the volume containing Glover's Visitation of Yorkshire of 1584-5 (Harl. MS. 1394); all the arms are in trick, with the names written above. The other copies in the British Museum are—Harl. MS. 6070, fo. 374 et seq., in which the blazons are written; Harl. MS. 1367 (Jo. Withy's copy), fo. 67 et seq.; and Harl. MS. 1452, ff. 53b-57b, a partial copy only, ending with the Ainsty. The arms in the two latter copies are in trick. I have used these three copies in footnotes to the following list.<sup>4</sup>

The arms in the frieze as now painted are even less authentic than Elizabethan heraldry generally is, from the fact that errors and alterations have been made in repainting. This fact seems to me to be proved by a book in the possession of Mr. Hugh C. Fairfax-Cholmeley, of Brandsby, which contains a series of drawings of the arms in the frieze.<sup>5</sup> The book is not dated, but as its title-page bears the arms of Fairfax impaling Tasburgh, it was evidently executed during the time of Charles Gregory Fairfax, who succeeded in 1845, and died in 1871. Two of the coats in the wapentake of Dickering are entirely different from those in the corresponding positions in the drawing in this book.

For this reason, I have not considered it necessary to blazon the coats of arms in the frieze, but I have contented myself with a list of names. Where the blazon is the same as in the copy printed by Mr. Foster, I have simply given the name. Material differences are

<sup>1</sup> These musicians are shown in the photograph of the room, Fig. 5.

<sup>2</sup> *Archæologia*, xlviii. 153.

<sup>3</sup> In his edition of the *Visitations of Yorkshire*, 1584-5 and 1612 (1875), pp. 639-651.

<sup>4</sup> Several other copies of this book of arms exist, though I have not had the opportunity of examining them. Shaw mentions a copy in the Duke of Newcastle's library at Clumber (*Details of Elizabethan*

*Architecture*, p. 23). The arms of the gentlemen of the East Riding have been printed from Mr. Thos. Beckwith's copy of 1779 in Sir Tatton Sykes's library at Sledmere, in the *Transactions of the East Riding Antiquarian Society*, ix. 87. See Mr. A. S. Scott Gatty's note (p. 87, note 1) as to the copy by Glover in the College of Arms.

<sup>5</sup> The notes marked F.C. in the footnotes to the following list of the arms refer to this book.



noted in the footnotes.<sup>1</sup> Where a coat in the frieze does not occur in Mr. Foster's copy, I have given the blazon in full.

With regard to the numbering of the shields in each wapentake, the shields are not arranged on the trees in precise lines, and it is consequently somewhat difficult to arrange them in any definite order. My numbering is intended to read in horizontal tiers, from left to right. There are, in all, 450 shields in the frieze, of which seven are blank.

## RYDALE · CVM · PICKERINGELYFHE

1, Bonville. 2, Barton. 3, Fairfax. 4, Spencer.<sup>2</sup> 5, Segrave. 6, Percehay. 7, Spencer.<sup>2</sup> 8, Roos. 9, Dawson. 10, Mountforth. 11, Pollard. 12, Atherton. 13, Holforth. 14, Wyvell. 15, Savile. 16, Grey. 17, Thornton. 18, Dalton. 19, *Ermine, a cross potent vert*, Leming of Pickering.<sup>3</sup> 20, Gates. 21, Earl of Rutland. 22, Cholmeley.

## BVLMER

1, Ellerker.<sup>4</sup> 2, Berwick. 3, Lovell. 4, Darley.<sup>5</sup> 5, Beesley. 6, Moyser. 7, Coppindale.<sup>6</sup> 8, Holme. 9, Thorpe. 10, Cholmeley. 11, Cholmeley. 12, Basforth. 13, Barnby. 14, Thweng.<sup>7</sup> 15, Redman. 16, Eglesfield. 17, Fenton. 18, Marshall. 19, Gower. 20, Hungate. 21, Bouchier. 22, Barton.

## LANG · BARVGH · CVM · WHITBIE · STRAND

1, Robert Fairfax. 2, Edward Fairfax. 3, Cuthbert Fairfax. 4, Gower. 5, Conyers. 6, George Fairfax. 7, Thomas Fairfax. 8, Salveyn. 9, Sayer. 10, Tocketts. 11, Henry Fairfax. 12, Constable. 13, (*Blank*). 14, Craythorne. 15, Strangwayes. 16, Ratcliff. 17, Layton. 18, Fulthorpe. 19, Rokeby. 20, Evers.

## BYRDFVRTHE · CVM · ALLERTONSHIRE

1, Mennell of Kilvington. 2, Deyvill of Angram. 3, Metcalf. 4, Thomlinson. 5, Tankard. 6, Chambers. 7, Danby. 8, Lascelles. 9, *Argent, a chevron sable between three hawthorn trees proper*, Thorneton.<sup>8</sup> 10, Mennell of Hawnby. 11, Deyvill of Cuckwold. 12, Fox. 13, Talbot. 14, Bellasis. 15, Lepton. 16, Dawnay. 17, Fairfax.

<sup>1</sup> I have not thought it worth while to notice some small discrepancies in the blazons. *Azure* in the book of arms is frequently painted as *sable* in the frieze; *sable* occasionally occurs as *azure*; and *or* and *argent* are often confused.

<sup>2</sup> Nos. 4 and 7 are now the same.

<sup>3</sup> Probably originally *Ermine, a cross potent azure*. See Visitation of 1612, Foster's ed., p. 543.

<sup>4</sup> Now painted as *Sable, a fret argent a chief or*. In F.C. the field is *azure*.

<sup>5</sup> Without the *bordure*, both in the frieze and in F.C.

<sup>6</sup> Painted as *Argent, a mullet sable, on a chief of the second two piles in point of the first*. So also in Harl. MS. 6070, but with *three* piles on the chief.

<sup>7</sup> Painted as *Argent, on a chevron gules between three popinjays vert a mullet or*. So also in F.C., except that the mullet is *argent*.

<sup>8</sup> In Harl. MS. 1394, John Thorneton's shield is blank. In MS. 6070 it is a different coat (Foster, p. 641). There is no Thornton coat in MS. 1367 or MS. 1452.

## GYLLINGE · WESTE

1, Layton. 2, Uvedalle. 3, Robert Wycliffe. 4, Girlington.<sup>1</sup>  
5, Wandesford. 6, Gower. 7, Pudsey. 8, Wray. 9, Rokeby. 10, Warde.<sup>2</sup>  
11, William Wycliffe. 12, Anthony Caterick. 13, Frank. 14, George  
Caterick. 15, Covell. 16, Tunstall. 17, Gascoigne. 18, Bowes.  
19, Wytham.<sup>3</sup>

## GYLLINGEASTE · CVM · HALLYKELDE

1, Exilby. 2, Cleasby. 3, Bland. 4, Rokeby. 5, Warcopp.  
6, Mennell. 7, Gatonby. 8, *Argent, three chevrons braced sable, in  
chief three mullets of the last*, Danby.<sup>4</sup> 9, Clervaux.<sup>5</sup> 10, Bowes.  
11, Greene. 12, Danby.<sup>4</sup> 13, Bulmer. 14, Conyers. 15, Dakins.  
16, Vincent. 17, Cecill. 18, Lassenby. 19, Wandesford.

## HANG · WESTE

1, Layton. 2, Crofte. 3, *Argent, a chevron sable between three  
hawthorn trees proper*, Thornton.<sup>6</sup> 4, Spence.<sup>7</sup> 5, Askwith. 6, Swale.  
7, Metcalfe.<sup>8</sup> 8, (*Blank*). 9, Conyers. 10, Metcalfe.<sup>8</sup> 11, Bainbrigg.  
12, Metcalfe.<sup>8</sup> 13, Borough. 14, Thoresby. 15, Aske. 16, Sowlby.<sup>9</sup>  
17, Henry Scrope. 18, Wyvill. 19, Danby. 20, Henry, lord Scrope.

## OVSE · AND · DARWEN · CVM · HOWDEN

## SHIER

1, Metham.<sup>10</sup> 2, Vaughan. 3, Edward Vavasour. 4, Aske.  
5, Stillington. 6, Saltmarshe. 7, Gate. 8, Monckton. 9, Hussey.  
10, Palmes. 11, Oughtred. 12, Babthorpe. 13, Metham.<sup>10</sup> 14, Acclom.

## AYNSTYE

1, Fairfax.<sup>11</sup> 2, Thwaytes. 3, Gale.<sup>12</sup> 4, Snawsell. 5, Yaxley.  
6, Vavasour. 7, Lawson. 8, Newarke. 9, Wood.<sup>13</sup> 10, Clapham.<sup>14</sup>  
11, Frankland.<sup>15</sup> 12, Ingleby.<sup>16</sup> 13, Fairfax of Walton.<sup>17</sup> 14, *Sable, a  
maunch argent, a bordure of the second charged with six pairs of lion's  
gambes in saltire erased gules*, Wharton.<sup>18</sup> 15, Fairfax.<sup>19</sup> 16, Stapleton.<sup>20</sup>  
17, Wilstrobe.

<sup>1</sup> Painted as *Sable, a chevron between three gadflies argent*.

<sup>2</sup> This shield has a *bordure gules*. (So also in F.C.)

<sup>3</sup> Painted as *Argent, a bend gules between three pewits sable*; and so in F.C.

<sup>4</sup> Nos. 8 and 12 are the same. Not in Harl. MS. 1394, 6070, 1367 or 1452.

<sup>5</sup> Painted as *Sable, a saltire or*.

<sup>6</sup> In Harl. MS. 1394 and 6070, Peter Thornton's shield is blank. Not in Harl. MS. 1367 or 1452.

<sup>7</sup> The field is painted *azure*.

<sup>8</sup> No. 10 has a *crescent sable* for difference. Nos. 7 and 12 are not differenced.

<sup>9</sup> Only two boar's heads in chief.

<sup>10</sup> No. 1 has a *crescent gules* for difference. No. 13 is not differenced.

<sup>11</sup> Differenced by a *mullet argent*.

<sup>12</sup> The field is now painted *sable*.

<sup>13</sup> The field *sable*, instead of *azure*; the shields charged with a *cross*, not a *saltire*.

<sup>14</sup> The bend is *azure*, instead of *sable*.

<sup>15</sup> Painted as *Sable, a dolphin embowed between three annulets argent, on a chief or a martlet sable between two saltires gules*.

<sup>16</sup> *Estoile of six points*.

<sup>17</sup> Undifferenced.

<sup>18</sup> Not in Harl. MS. 1394, 6070, 1367 or 1452.

<sup>19</sup> Differenced by a *martlet argent*.

<sup>20</sup> Differenced by a *crescent argent*.

## CLARO

1, Ingleby. 2, Tanckard. 3, Conyers. 4, Kighley. 5, Drax.<sup>1</sup> 6, Faux. 7, Lindley. 8, *Ermine, on a bend sable three pheons argent*, Stockdale. 9, Banke.<sup>2</sup> 10, Sothill. 11, Yorke. 12, Roos. 13, *Azure, a maunch ermine debruised by a bendlet gules, a crescent of the last for difference*, Norton. 14, Burton. 15, Staveley. 16, Newton. 17, Westby. 18, Pulleyne.<sup>3</sup> 19, Slingsby. 20, Aldborough.<sup>4</sup> 21, Vavasour. 22, Clapham. 23, Beckwith. 24, Pulleyne.<sup>5</sup> 25, Manners. 26, Mawde. 27, Palmes. 28, Goodricke. 29, Plumpton. 30, Fairfax. 31, Mallory. 32, Midelton. 33, Goldesborough. 34, Maleverer.

## BARKESTON

1, Foster. 2, Tyndall. 3, Newby. 4, Eland. 5, Bates. 6, Oglethorpe. 7, Beverley. 8, Ellis. 9, Burton. 10, Twistleton. 11, Hammond. 12, Gascoigne. 13, Cressy. 14, Wytham. 15, Leedes. 16, Nelson. 17, Nevile. 18, Vavasour. 19, Babthorpe. 20, Stapleton. 21, Beckwith. 22, Barkstone. 23, Hungate.

## AGBRIDGE

1, Lake. 2, Gascoigne. 3, Freeston. 4, Twistleton.<sup>6</sup> 5, Hopton. 6, Kay.<sup>7</sup> 7, Beckwith. 8, Blythe. 9, Fleming. 10, *Argent, on a bend sable three mullets of the field*, Hotham. 11, Jackson. 12, George Savile. 13, *Argent, on a fess double-cotised azure three fleurs-de-lis or, a crescent sable for difference*, Normanville. 14, Peck. 15, *Argent, a chevron between three rooks proper*, Rokeby. 16, Waterton.<sup>8</sup> 17, Robert Savile. 18, Rishworth. 19, Bradford. 20, Hugh Savile. 21, Frobisher. 22, Waterton.<sup>9</sup> 23, Kay. 24, Edward Savile. 25, Bunny. 26, Mallet. 27, Wentworth.

## MORLEY

1, Thornhill. 2, Thurland. 3, Savile.<sup>10</sup> 4, Thornton. 5, Eland. 6, Gascoigne. 7, Savile.<sup>10</sup> 8, Lee. 9, Lacy. 10, Savile.<sup>10</sup> 11, Tempest of Broughton. 12, Savile.<sup>10</sup> 13, *Azure, three pelican's heads erased argent*.<sup>11</sup> 14, (*Blank.*) 15, Beeston. 16, (*Blank.*) 17, Lacy.<sup>12</sup> 18, Savile.<sup>10</sup> 19, Tempest of Bowling. 20, Calverley. 21, Copley.

## STANCROSSE · CVM · OSGODCROS

1, Stanley. 2, Nevill. 3, Nowell. 4, Radcliff. 5, Burdett. 6, Aungier.<sup>13</sup> 7, Thomas Wentworth. 8, Bosvile.<sup>14</sup> 9, Mering. 10, Roger Went-

<sup>1</sup> Label of *three* points.

<sup>2</sup> The fleurs-de-lis are *argent*.

<sup>3</sup> No. 18 is the same as No. 24, except that it is differenced by a *crescent gules*.

<sup>4</sup> The fess is *or*, instead of *argent*.

<sup>5</sup> Painted as *Azure, on a bend cotised argent three escallops gules, on a chief or three martlets sable*.

<sup>6</sup> The same as No. 10 in Barkeston.

<sup>7</sup> Differenced by a *crescent sable*.

<sup>8</sup> *Barry of six gules and ermine*.

<sup>9</sup> Same as No. 16, but with *three crescents sable*.

<sup>10</sup> As now painted, the differences in the Savile coats are—Nos. 3 and 10, a *mullet sable*; No. 7, a *crescent gules*; and Nos. 12 and 18, a *crescent sable*.

<sup>11</sup> Not in Harl. MS. 1394, 6070 or 1367.

<sup>12</sup> Differenced by a *crescent sable*.

<sup>13</sup> Per fess *argent and azure* (instead of *or and azure*).

<sup>14</sup> Painted as *Argent, five losenges in fess gules, in the dexter chief a crescent sable*.

worth. 11, Barnby.<sup>1</sup> 12, Rokeby. 13, Everingham. 14, Gargrave.  
15, Wortley. 16, Woodrove. 17, Matthew Wentworth.

## SKYRACKE

1, Paslewe. 2, Norton. 3, Ellis. 4, Dyneley. 5, Thomson. 6, Baildon.  
7, Green. 8, Robert Oglethorpe. 9, Maude. 10, William Oglethorpe.  
11, Franke. 12, William Gascoigne. 13, Hawkesworth.<sup>2</sup> 14, Maleverer.  
15, Richard Gascoigne. 16, Folkingham. 17, Ryther. 18, Redman.  
19, Ardington.<sup>3</sup> 20, Hardwick.

## STANCLIFFE · CVM · YEWCRASSE

1, Pudsey. 2, William Lister. 3, Garbrothe. 4, Talbot. 5, Malham.<sup>4</sup>  
6, Warde. 7, Banke. 8, *Argent, a chevron between three mullets pierced  
sable*, Nesfield.<sup>5</sup> 9, Waddington.<sup>6</sup> 10, *Argent, a bend between six martlets  
sable, a crescent sable for difference*, Tempest.<sup>7</sup> 11, Wilfrid Banester.  
12, *Argent, a chevron between three mascles sable*, Parker.<sup>8</sup> 13, Marton.  
14, Ralph Banester. 15, Lambert. 16, Catherall. 17, Eltofte. 18, Earl  
of Cumberland. 19, Thomas Lister. 20, Hamerton.

## STRAFFORTHE · CVM · TIKELIFEE

1, Serlby. 2, Anne. 3, *Barry of six or and azure, in dexter chief  
a mullet gules for difference*,<sup>9</sup> Aske? 4, Portington. 5, Waterhouse.  
6, Morton. 7, Bosvile.<sup>10</sup> 8, Vincent. 9, Drax.<sup>11</sup> 10, Blythe. 11, *Argent,  
a chevron between three martlets sable*,<sup>12</sup> Lawson? 12, Westby. 13, Copley.<sup>13</sup>  
14, Greene. 15, Wombwell.<sup>14</sup> 16, Wassington. 17, Oglethorpe.  
18, Reresby. 19, Wentworth. 20, Earl of Shrewsbury.<sup>15</sup> 21, Wombwell.<sup>16</sup>  
22, Holmes.<sup>17</sup> 23, Swift. 24, Montford.<sup>18</sup>

## DICKERINGE

1, Brian Lacy. 2, Brigham. 3, Constable.<sup>19</sup> 4, Lacy.<sup>20</sup> 5, *Or, a  
chevron gules, a chief vair*, St. Quintin.<sup>21</sup> 6, Constable.<sup>19</sup> 7, *Or, a lion*

<sup>1</sup> Field *argent*, mullets *sable*.

<sup>2</sup> The hawks are *or*.

<sup>3</sup> *Sable, a fess between three escallops  
argent*.

<sup>4</sup> The lion is now painted *sable*.

<sup>5</sup> This coat appears in Harl. MS. 1367  
as Lancelott Nesfeld, and also in Harl.  
MS. 6070 (Lancelott Neisfeilde).

<sup>6</sup> This shield has *three* martlets. So in  
Harl. MSS. 1367 and 6070.

<sup>7</sup> So in Harl. MS. 6070 for "Henry  
Tempeste of Broughton." In Harl. MS.  
1367 the same arms are tricked for Henry  
Tempest, but without the difference.

<sup>8</sup> Not in Harl. MS. 1394. The coat as  
blazoned appears in Harl. MSS. 6070  
and 1367 for Bryan Parker.

<sup>9</sup> Not in Harl. MS. 1394, 6070 or 1367.

<sup>10</sup> Has no bear's heads in chief.

<sup>11</sup> Label of *three* points.

<sup>12</sup> Harl. MS. 6070 has *Argent, a chevron  
between three moorcocks sable combed and  
wattled gules*, for Thomas Moore. Simi-  
larly tricked in Harl. MS. 1367.

<sup>13</sup> Undifferenced.

<sup>14</sup> *Ibid*.

<sup>15</sup> The bordure is now painted *or*.

<sup>16</sup> Undifferenced.

<sup>17</sup> As now painted the lion is *argent*,  
charged with *two bars gules*.

<sup>18</sup> Undifferenced.

<sup>19</sup> As now painted, in No. 6 the bend is  
charged with *a martlet sable* on the fess  
point, and with *a crescent sable* in the  
dexter chief; No. 3 is the same, but with  
*a mullet sable* instead of *a martlet sable*.

<sup>20</sup> *A crescent sable* on the fess point.

<sup>21</sup> This coat must be attributed to a  
recent repainting, for in F.C. the shield  
in this position appears as *Per pale sable*

*rampant azure*, Earl of Northumberland.<sup>1</sup> 8, Hildyard.<sup>2</sup> 9, Bawne. 10, Strickland.

## BVCKROSSE

1, Creyke. 2, Dakins.<sup>3</sup> 3, Anlaby. 4, Lacy. 5, Constable. 6, Monckton. 7, Chamberlayne. 8, Heslarton. 9, Bulmer.<sup>4</sup> 10, *Argent, a chevron engrailed between three moorcocks sable, a crescent of the last for difference*, Moore.<sup>5</sup> 11, Normanville. 12, Bamburgh. 13, Bigod. 14, Horsley. 15, Lutton.<sup>6</sup>

## HANGEASTE

1, John Jackson. 2, Wycliffe. 3, Browne. 4, Christopher Jackson. 5, Danby. 6, Girlington.<sup>7</sup> 7, Watnall. 8, Dodworth. 9, Wyvill. 10, Conyers.<sup>8</sup> 11, Metcalfe. 12, Pepper. 13, Conyers.<sup>9</sup> 14, Lawson. 15, Darcy.

## HOLDERNES

1, Lancelot Alford.<sup>10</sup> 2, Holmes. 3, Strelley.<sup>11</sup> 4, Constable.<sup>12</sup> 5, (*Blank.*) 6, Thorpe. 7, (*Blank.*) 8, Constable.<sup>12</sup> 9, Strelley.<sup>11</sup> 10, Newton. 11, (*Blank.*) 12, Langdale. 13, Alured. 14, Leedes. 15, Dalby. 16, Constable.<sup>12</sup> 17, Palmes.<sup>13</sup> 18, John Alford.<sup>10</sup> 19, Constable.<sup>12</sup> 20, Grimston. 21, *Checky or and azure, a fess gules fretty argent*, Clifford? 22, Frodingham. 23, Moore. 24, Legard. 25, Appleyard.<sup>14</sup> 26, Hildyard. 27, Boynton.<sup>15</sup> 28, Henry Constable.

## HARTHILL

1, Anlaby. 2, Rudston. 3, Langley. 4, Daniell. 5, Fowbery. 6, Dyneley. 7, Elwood.<sup>16</sup> 8, Sotheby. 9, Dolman.<sup>17</sup> 10, Vaughan. 11, Skelton. 12, Normanville.<sup>18</sup> 13, *Azure, a saltire between four crosses crosslet or.*<sup>19</sup> 14, Elwick. 15, Constable.<sup>20</sup> 16, Langdale. 17, Rafe

*and argent three Bs two and one counter-changed*, for the "Abbey of Bridlington." The latter coat appears in Harl. MS. 6070 as "Burlington Abbey ats Bridelington." It is also in the copy of 1779 in the Sledmere library (*Trans. East Riding Antiquarian Society*, ix. 89).

<sup>1</sup> In F.C. this shield is shown as *Argent, a chevron sable*, and named John Thornton of . . . . .

<sup>2</sup> *Chevron argent.*

<sup>3</sup> Two mullets and lion *passant, argent* (instead of *or*).

<sup>4</sup> *A crescent sable* for difference.

<sup>5</sup> So in Harl. MS. 6070 for Matthew Moore, but the chevron is not engrailed. Cf. Foster, p. 650.

<sup>6</sup> Painted as *Argent, three bends* (not bars) *wavy gules*. Cf. *Trans. E.R. Antig. Soc.*, ix. 90.

<sup>7</sup> Painted as *Sable, a chevron between three gadflies argent, a crescent of the first or difference*.

<sup>8</sup> The field is *sable*; an annulet *gules* for difference.

<sup>9</sup> *Annulet and martlet gules* for difference.

<sup>10</sup> The field is *sable*. Both in No. 1 and No. 18 the pears are drawn with their stalks downward.

<sup>11</sup> No. 3 is undifferenced. No. 9 is differenced by *a mullet argent*.

<sup>12</sup> No. 4 is differenced by *a mullet sable*. Nos. 8, 16 and 19 are undifferenced.

<sup>13</sup> Undifferenced.

<sup>14</sup> The chevron is *or*, instead of *argent*.

<sup>15</sup> Painted as *Gules, a fess between three crescents or*.

<sup>16</sup> Only two mullets in chief.

<sup>17</sup> The garbs are *argent*.

<sup>18</sup> The fleurs-de-lis are *or*.

<sup>19</sup> So in Harl. MSS. 1367 and 6070 for William Ellerker. Cf. *Trans. E.R. Antig. Soc.*, ix. 92.

<sup>20</sup> Both No. 15 and No. 26 are now painted with *a crescent sable* for difference.

Hungate. 18, Creyke. 19, Thwenge.<sup>1</sup> 20, Thirkell. 21, Anthony Hungate. 22, Ellerker.<sup>2</sup> 23, Aske. 24, Hotham. 25, Earl of Northumberland. 26, Constable.

It only now remains for me to perform the grateful task of thanking those who have so kindly assisted me in my researches. First, I must acknowledge my indebtedness to the late Mr. F. B. Grotrian, whose hospitality during his tenancy of Gilling Castle gave me unlimited opportunities of investigation in the building itself. To Mr. William Brown, F.S.A., I owe especial thanks for much help most willingly given; he has kindly transcribed most of the documents printed in the Appendix. For No. VII. in the Appendix I have to thank Mr. R. H. Skaife, and Dr. Collins for No. X. I have to thank Mr. Hugh C. Fairfax-Cholmeley, of Brandsby, for kindly allowing me to inspect his fine collection of Etton and Fairfax deeds, and Mr. A. F. Leach, F.S.A., for his assistance in examining them. Mr. A. S. Ellis has placed his unrivalled knowledge of early Yorkshire genealogy at my disposal, and I have also to acknowledge help kindly given me by the late Chancellor Raine and Mr. J. W. Clay, F.S.A.

<sup>1</sup> Undifferenced.

<sup>2</sup> This is painted without a chief, but is doubtless the coat named William

Ellerker in Harl. MS. 1394 (Foster, p. 651), and Edward Ellerker in the College of Armscopy (*Trans. E.R. Antiq. Soc.*, ix. 93).

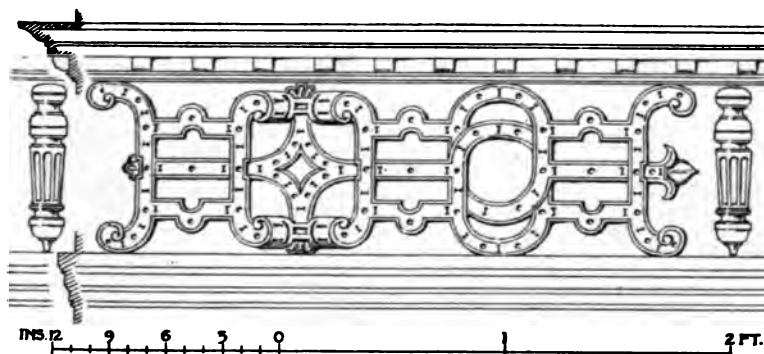


FIG. 15.—FRIEZE AND CORNICE OF WALL-PANELLING  
IN DINING ROOM.

## APPENDIX.

## I.

ACTION BY WALTER, PARSON OF GILLING, AGAINST IVO, SON OF WILLIAM DE ETTON, ABOUT LAND ALLEGED TO BELONG TO HIS CHURCH.

7 & 8 Edw. I. (1278-80). Jurata venit recognitura utrum tres acre terre cum pert. in Gilling in Rydale sint libera elemosina pertinens ad ecclesiam Walteri persone ecclesie de Gillyng in Ridale, an laicum feodum Ivonis filii Willelmi de Etton, et unde predictus Walterus dicit quod quidam Absolon, quondam persona predictae ecclesie, fuit seisitus de predicta terra in dominico suo ut de feodo et jure ecclesie sue predictae, tempore pacis, tempore H. Regis patris domini Regis nunc, capiendo inde explecia ad valenciam, etc., qui terram illam eodem tempore alienavit, etc.

Et Ivo venit et nichil dicit quare jurata remaneat, nisi tantum quod dicit quod predicta terra non est libera elemosina pertinens ad ecclesiam predicti Walteri. Et de hoc ponit se super juratam, et Ricardus similiter. Ideo fiat inde jurata, etc.

Jur' dicunt super sacramentum suum quod predictus Absolon, predecessor ipsius Walteri, aliquo tempore tenuit predicta tenementa que predictus Walterus modo petit, et quod idem Absolon postea tenementum illud alienavit; set dicunt quod idem Absolon tenementum illud perquisivit de quodam Galfrido de Etton, habendum sibi et heredibus suis ut laicum feodum suum et non ut liberam elemosinam ecclesie ipsius Absolonis de Gilling in Rydale. Ideo consideratum est quod predictus Ivo inde sine die, et predictus Walterus nichil capiat per juratam istam, set sit in misericordia pro falso clamore, etc. (*Assize Rolls, Yorkshire*, no. 1055, m. 79d.)

## II.

ACTION ABOUT A CLAIM TO AN ALLEGED VILLAN.

Easter, 35 Edw. I. (1307). Thomas, son of John de Wymbeltone, v. Ivo de Ettone, Joan, his wife, and Thomas, his son, for an assault at Gillyng in Rydale, on Friday after the Purification of the Blessed Mary, 31 Edw. I. (Feb. 8, 1302-3).

Ivo pleads in defence that Thomas is his villan and that he is seised of him as of his villan, and was so on the day the writ was obtained. "Et dicit quod idem Thomas officium messoris ad quod ipsum elegerat, prout ipse et antecessores sui eundem Thomam et antecessores suos tanquam villanos suos ad officium prepositi et messoris pro voluntate sua prius elegerunt, sicut de jure debuerunt et

potuerunt, facere recusavit, eidem Thome ut domino suo injuste inobediendo; ipsum Thomam in villenagio suo existentem et inventum cepit, et in ceptis posuit, sicut ei bene licuit, quousque se justificare voluit, absque hoc quod ipsum verberavit aut aliquam transgressionem contra pacem Regis ei fecit.

Thomas filius Ivonis dicit quod ipse ibidem venit cum eundem (*sic*) Ivone patre suo ad predictum Thomam justificandum in forma predicta."

Plaintiff replies that he is "liber homo, liberi status, et libere condicionis." No decision. (*Coram Rege*, no. 188, m. 3.)<sup>1</sup>

## III.

## THE WALTON SETTLEMENT.

Aug. 19, 23 Edw. III. (1349). Settlement by John Deyvill, Elias de Farwat, Walter rector of the church of Colthorp, and John vicar of Hunsingou[er] of the manor of Walton, two closes in the territory of Thorparch, one called le Parkes accessilites (*sic*), and the other Thesend Parkes; six acres of meadow, two of which lie in the meadows of Folifait, and four in the meadows of Acaster Malbis, with the appurtenances, on Thomas Fairfax and Elizabeth, his wife, for their lives, rem. in tail male to their sons, William, Thomas, and John, to Thomas de Etton and Elizabeth, his wife, daughter of the said Thomas Fairfax, to Thomas de Etton, son of the said Thomas and Elizabeth, to the other sons of the said Thomas de Etton and Elizabeth, daughter of the said Thomas Fairfax, rem. in fee to the right heirs of the said Thomas Fairfax. Witnesses, William Malbis, William Gramary, knights, William Warley, Alan de Folifait, John Scott, and others. Given at Walton, etc. (*Dodsworth MSS.*, cxxxix. 103*b*.)

## IV.

## WILL OF SIR JOHN ETTON, KNT., 1431.

In Dei nomine, Amen. Primo die mensis Octobris, A.D. millesimo cccc<sup>mo</sup>xxxj<sup>o</sup>, ego, Johannes Etton, miles, sana mente et bona memoria, timens tamen fragilitatem hujus mundi, condo testamentum meum in hunc modum. In primis lego animam meam Deo omnipotenti, B. Marie et omnibus Sanctis, corpusque meum sepeliendum ubi Deus disposuerit. Item lego rectori ecclesie de Gyllyng meum optimum animal, nomine mortuarii mei. Residuum vero omnium bonorum meorum do et lego Roberto Etton et Nicholas Etton, filiis meis, quos facio et constituo executores meos, ut illi pro anima mea

<sup>1</sup> The case was adjourned till Easter Term, 1 Edw. II., and again to Trinity Term following (*Coram Rege*, 1 Edw. II., Easter, m. 9).



faciant et disponant, prout sibi viderint oportunum. In cujus rei testimonium huic presenti testamento meo sigillum meum apposui, die et anno Domini supradictis. (Proved March 30, 1433, by the executors.) (*Reg. Test.*, iii. 352b.)

## V.

INQ. P. M. OF SIR JOHN DE ETTON, KNT., 1433.

York Castle, Monday before the feast of the Nativity of St. John the Baptist, 11 Hen. VI. (June 22, 1433), before Robert Mauleverer, escheator. John de Etton, knt., died seised of the manors of Kyrkeburn and Kyblyngcotes for term of his life by the law of England (*per legem Anglie*),<sup>1</sup> after the death of Katharine, late his wife, of the inheritance of Isabella, now wife of John Roos, Elizabeth, now wife of John Northwode, Margaret, now wife of Robert Moresby, and Anne, now wife of Robert Rouclyff, cousins (*consanguinearum*) and next heirs of the aforesaid Katharine, that is, daughters and heirs of Miles de Etton, son and heir of the said Katharine. Manor of Kyrkeburn held in chief by the service of the twentieth part of one knight's fee. Site of the manor worth nothing beyond expenses; 40 acres of demesne land, 4*d.* an acre; 12 acres of demesne meadow, 12*d.* an acre; 100 acres of arable land, 4*d.* an acre; 13 cottages with crofts adjacent, each worth 14*d.*; a water-mill, 6*s.* 8*d.*; perquisites of court, 2*s.* Site of the manor of Kyblyncotes, worth nothing since it is utterly wasted (*nichil eo quod totaliter vastatur*); 50 acres of arable land, 3*d.* an acre; 100 acres of pasture, 1*d.* an acre and no more as they are not enclosed. Manor of Kyblyngcotes held of the Archbishop by unknown service. He also held in tail an acre of land in Burn of the grant of Thomas Frebody worth 6*d.*, held of the King by fealty. Also in tail male the manor of Gillyng in Rydale, 3 tofts and 3 bovates of land in Everle<sup>2</sup> of the grant of Robert Foxley, rector of the church of Steyngref, Robert Cruel, rector of the church of Oswaldekyrke, John de Flaynburgh, vicar of the church of Helmesley, and Thomas de Askham, vicar of the church of Ampelford, made to a certain Thomas de Etton and Elizabeth, his wife, for their lives, rem. to Thomas, their son, in tail male, rem. to other sons and daughters in tail male, rem. to Thomas Farefax and Elizabeth, his wife, for life, rem. in tail male to William, Thomas, and John, their sons, rem. to Alice, sister of the said Thomas

<sup>1</sup> Generally called the courtesy of England, *jus curialitatis Anglie*, an estate which by favour of the law of England arises by act of law, and is that interest which a husband has for his life in his wife's fee-simple or fee-tail estates, general

or special, after her death. One of the circumstances, necessary to the existence of this estate, is the birth of issue alive and capable of inheritance.

<sup>2</sup> Yearsley, in the parish of Coxwold. Called Yearsley and Yeresley in 1571.

de Etton, wife of William de Thorneton, and her heirs. Thomas and Elizabeth de Etton were seised for life of the premises, then Thomas, the son, entered and was seised in tail, and had issue John, George, William, and Richard, sons, and Katherine and Elizabeth, daughters. John, son of Thomas, was seised, and had issue Miles, Ivo, William, and Alexander. Miles had issue Isabella, Elizabeth, Margaret, and Anne, and died without heir male. Ivo, son and heir male of the said John, son of Thomas, aged 30 and upwards. The manor of Gilling, etc., held of Elizabeth, Duchess of Norfolk, of her manor of Thrysk by unknown service. Worth 10*li.* a year. Lands in Everle worth 10*s.* John de Etton, knt., died March 25 last past (1433). Isabella, 25, Elizabeth, 24, Margaret, 22, and Anne, 17, his nearest heirs, that is, daughters and heirs of Miles, son and heir of the said John. (*Inq. p. m.*, 11 Hen. VI., no. 29.)

Ancaster. Thursday after the Nativity of St. John the Baptist, 11 Hen. VI. (June 25, 1433). John de Etton died seised of nothing in chief. Died March 25 last. Isabella, 25, wife of John Roos, Elizabeth, 24, wife of John Northwode, Margaret, 22, wife of Robert Moresby, Anne, 17, wife of Robert Rouclyff, his heirs and next of kin, that is, daughters and heirs of Miles de Etton, son and heir of the said John. (*Ibid.*)

Newarke. Saturday before the same Feast (June 20). Died seised of the manor and advowson of Laxton, and of the manors of Egmanton and Northleverton, held for term of his life by the law of England after the death of Katharine, late his wife, of the inheritance of Isabella, now wife of John Roos, etc. Also of a messuage in Shelford. (*Ibid.*)

## VI.

## INQ. P. M. OF HUMFREY NEVILLE OF BRANCEPETH, 1463.

Malton. June 28, 3 Edw. IV. (1463), before Edmund Hastynges, knt., escheator. Humfrey Neville, late of Brancepeth in the county of Durham, was seised in his demesne as of fee of the manor and vill of Gillyng in Rydalle from May 4, 1 Edw. IV. (1461), to Nov. 4 in the same year; which manor and vill with the appurtenances have come into the hands of the same now King by reason of the forfeiture of the said Humfrey, who was attainted of high treason by the authority of a Parliament of the said now lord King, held at Westminster on Nov. 4 in the first year of his reign (1461). Worth 100*s.* a year. The said Edmund Hastynges, knt., had taken and held the rents and profits coming from the same, from the said fourth day of May to the day of the taking of this Inquisition, but by what title the Jurors were entirely ignorant. (*Inq. p. m.*, 3 Edw. IV., no. 10.)

*Rolls of Parliament*, v. 478*b*. Among the persons attainted at the Parliament above-mentioned were Thomas Nevill, late of Brauncepath in the Bishopryke of Durham, clerk, and Humfrey Nevill, late of the same, squier, who "the xxvi day of Juyn last past, at Ryton and Brauncepath in the Bishopryke of Durham, with Standardes and Gyturons unrolled, rered werre ayenst oure seid Lord Kyng Edward, purposyng to have deposed hym of his Roiall Astate, Coroune and Dignite, ayenst their feith and Liegeaunce "And that they, and also the seid . . . . . Thomas Nevill, clerk, . . . . . Humfrey Nevill, Squier, . . . . . for their traitourse offenses and transgressions afore declared, committed and doon ayenst the seid Astate, Coroune and Dignite of oure seid Soverayne Lord Kyng Edward the fourth, stand and be convycted of high Treason," etc. (*Ibid.*, 480*b*, 481*a*.)

*Ibid.*, p. 511*b*. 21 Jan., 1464-5. "And where Humfrey Nevile, knyght, atteinted of Treason by the seid Acte made the iiij<sup>th</sup> day of Novembr' aforesaid for the causes in the same Acte specified, was and abode after the same Atteyndre in prison in the Toure of London, in the keypyng of the Constable of the same Toure, brake the same prison, eskaped fro thens into the seid Shire of Northumberland, and there made commotion of people ayenst oure seid Soverayn Lord; It pleased not for that the Kinge oure seide Soverayn Lord, havynge respecte to his birthe, uppon his lowely and humble sute made unto his Mageste Royall, to resceyve hym to grace, and by his Lîes Patentis under his Grete Seall, to pardon unto hym all trespasses and other offences, accordyng to the tenour of the same Lîes Patentis; the which and the grete and large bountie shewed unto hym right largely by oure seid Soverayn Lord, and also the trust that his seid Mageste toke hym in notwithstanding, the same Humfrey, as an unkynde and innaturall man, and fals to his Liege Mageste, traiterously adhered unto the seid Henry, late called Kyng, and with hym, and in his fals and usurped quarell, fro the first day of Aprill, the iiij<sup>th</sup> yere of the reigne of oure seid Soverayn Lord, at Bamburgh forseid, toke hoole and full parte, purposyng and ymagenyng there and then the distruction of his moost noble persone, alteration and alienation of the D'nation of his said Reame, into the power and D'nation of the innemyes of oure seid Soverayne Lord."

p. 512*b*. It was enacted "that the seide Acte, made in the seid Parlement. holden the seid iiij<sup>th</sup> day of Novembr', stonde in his strength, force and effecte ayenst the seid Henry, late Duke of Somers', Humfrey Nevill and Henry Bellingham, eny Acte 'or Lîes Patentis made to the contrary notwithstanding. And that the seid Acte of restitution and every of the seid Lîes Patentis, be voide, and of noo force nor effecte."

## VII.

## THE FAIRFAX CLAIM TO GILLING

(from the *York Corporation Papers*, vol. ii.).

By deed of settlement, dated at Gilling, 18th Aug., 1349, Thomas de Etton and Elizabeth, his wife (dau. of Thomas Fairfax of Walton, by Elizabeth, dau. of Sir Ivo de Etton), granted the manor of Gilling to themselves for their lives; remainder to Thomas, son of the said Thomas and Elizabeth, and his heirs male; remainder to the other son or sons of the said Thomas, the father, one after another, and their heirs male; remainder to the sons and daughters of the said Thomas, the father, in tail general; remainder to Thomas Fairfax and Elizabeth, his wife, for their lives; remainder to William, son of the said Thomas Fairfax and Elizabeth, and his heirs male; remainder to Thomas, brother of the said William, and his heirs male; remainder to John, brother of the said William and Thomas, and his heirs male; remainder to Alice, sister of the said Thomas de Etton, wife of William de Thornton, and her heirs in fee. Witnesses, Sir William Malbys, knt., Sir John Moryn, knt., Ralph de Burton, Robert de Sproxton, William Ward, etc. (p. 1017.)

## 1492. Petition of Thomas Fairfax to King Henry VII.

Sets forth the settlement of Gilling in 1349 and the limitations thereof, and that by virtue thereof the said Thomas de Etton and Elizabeth, his wife, entered into possession, and after their deaths the said Thomas, their son, entered and was seised and died; and after his death the said manor and tenements descended to a certain Alexander Etton as cousin (consanguineus) and heir of the said Thomas, the son, viz. the son of John, the son of the said Thomas the son, whereby the said Alexander as cousin and heir of the said Thomas entered and was seised, and being so seised he enfeoffed one Sir Thomas Nevill, knight, in fee, by virtue of which feoffment Thomas Nevill entered and was seised and died, and upon his death the said manor, etc., descended to Humphrey Nevill as his son and heir, and the said Humphrey entered and was seised, until the said Humphrey, by an Act of Parliament of 1st Edward IV., was attainted, and all his estates that he held on 4th March, 1st Edward IV., were forfeited.

And afterwards, by an Inquisition held at New Malton, 12th June, 4 Henry VII. (1489), before Marmaduke Clairvaux, Esq., your escheator in co. York, it was found that, by the said Act of Parliament, Humphrey Nevill, late of Brauncepeth in Bp̄rick of Durham, Esq., was attainted and his estates forfeited as above. And that on the said 4th March he was seised in fee of the manor of Gyllyng in Ridale, co. York, etc. Value, £20 per ann.

And that Sir Edmund Hastings, knt., had possessed the same from the said 4th Nov. (*sic*), 1 Edw. IV., to the accession of the present King, but *quo jure* they know not, and that Sir Charles Somerset, knt., from the said accession till now had held the same, but *quo jure* they know not.

And the Petitioner Thomas Fairfax says that the said manor, etc., ought to remain to him as cousin (consanguineus) and heir male of the said William, son of the said Thomas Fairfax and Elizabeth his wife, viz son of William, son of Richard, son of Thomas, son of William, son of them the said Thomas and Elizabeth, *eo quod* the aforesaid Thomas Etton and Elizabeth his wife are dead without sons and daughters of the body of the said Thomas lawfully begotten. And that there is not any son or heir male of any son nor any daughter of the same Thomas now surviving. And the said Thomas their son is dead without heir male of his body him *exeunte*, and the said Thomas Fairfax and Elizabeth his wife are dead, etc. All which petitioner is ready to prove, and he prays for justice. (p. 1020.)

Inquisition taken at the castle of York, 1st Aug., 7th Henry VII. (1492), before Edmund Thwaites, Robt. Constable, Wm. Babthorpe, and Nicholas Girlington, Commissioners of the King, on petition of right of Thomas Fairfax, Esq., of the manor of Gilling in Ridale, upon the oaths of

|                         |                 |            |
|-------------------------|-----------------|------------|
| Sir Wm. Mallory, knt.   | Robt. Stokes    | } Esquires |
| Sir John Waterton, knt. | Nichs. Gower    |            |
| Thos. Crathorne, Esq.   | Seth Snawsell   |            |
| Richd. Acclome, Esq.    | John Oglesthorp |            |
| James Roose, Esq.       | Robt. Gower     |            |
| Robt. Lassels, Esq.     | John Lavening   |            |

They find all the facts as stated in the petition. (p. 1024.)

Writ of Restitution to the said Thomas Fairfax (date not given). (p. 1028.)

#### VIII.

##### INQ. P. M. OF SIR THOMAS FAIRFAX, KNT., 1505.

York Castle. June 4, 20 Hen. VII. (1505). Sir Thomas Fairfax, knt., died seised of the castle and manor of Gyllyng in Rydall, etc., held of Thomas, earl of Derby, as of his manor of Thyrske, by unknown service, worth £6 a year. Also of the manor of Rudston, with lands, etc., there and at Sheyrburn in Hertforthlyth<sup>1</sup> and Rippon. The property at Rudston held of Sir Walter Griffyth, knt., as of his manor of Agnes Burton, in socage and by a rent of 4s., worth 8*li.* a year; at Sheyrburn in Hertforthlyth of the King, as of his manor of

<sup>1</sup> Sherburn (E.R.) near Malton,

Sheyrburn, parcel of his manor of Sherefhoton, in socage, by fealty and suit of court of the manor of Sheyrburn, worth 40s. a year; in Ryppon of Thomas, archbishop of York, in free burgage, worth 13s. 4d. a year. Also of the manor of Scaltun by Ryvax,<sup>1</sup> which by a deed dated Oct. 21, 20 Hen. VII. (1504), he granted to Margaret Middleton, dau. of Robert Middleton, knt., deceased (*defuncti*), and Robert Wencelagh, clk., to hold to Margaret Middleton for life, rem. to himself in fee. Held of Thomas, earl of Derby, as of his manor of Thyrsk by unknown service, worth 24 marcs a year. Also of the manor of Carethorppe<sup>2</sup> and lands, etc., there and at Benton and Harethorppe, which had been granted to Thomas his eldest son, and Anne his (the son's) wife, in tail. Held of (the church) of the Blessed Peter of York in socage, worth 10*li*. a year. He died the last day of March last past. Thomas, his son and heir, aged 29. (*Inq. p. m.*, 20 Hen. VII., no. 93.)

Guildhall of the City of York, June 6, 20 Hen. VII. (1505), before Michael Whyte, Mayor. Thomas Fairfax, knt., died seised of the manors of Walton, Folyfait, Acastre Malbys and Coupmanthorp, and property there and in the city of York and at Thorp Arches. By deed dated Nov. 27, 13 Edw. IV. (1473), he granted the same to Robert Shyrburn, esq., John Malyvery, knt., Robert Radclyff, esq., Richard Shyrburn, Thomas Shyrburn, Hugh Radclyff, Roger Radclyff, and Roger Singleton, to the use of himself in fee. Manor of Walton held of William Gascoigne, knt., in socage by the rent of a pair of gilt spurs and a pound of cumin, worth 10*li*. a year. Manor of Folyfait held of Henry Vavasour, esq., in socage, worth 20 marks a year. Manor of Acastre Malbys held of the King as of his Honour of Eye, by the service of one knight's fee, worth 45*li*. a year. Manor of Coupmanthorp held of the heirs of Peter de Bruys by unknown service, worth 10*li*. a year. Property in Thorparches held of Thomas, earl of Derby, as of his manor of Thyrsk, by unknown service, worth 40s. a year. Five messuages in the City of York held of the King in free burgage, in the same way as all the city is held, worth four marks. Died 31 March last. Thomas, son and heir, aged 29. (*Ibid.*, no. 94.)

## IX.

INQ. P. M. OF SIR THOMAS FAIRFAX OF WALTON, KNT., 1521.

Newburgh, Jan. 20, 12 Hen. VIII. (1520-1), before William Danby, escheator. Jurors:—Ralph Grey, esq., George Crower, gent., etc., who say that Thomas Fairfax, knt., father of Thomas Fairfax of Walton,

<sup>1</sup> Scawton.

<sup>2</sup> Caythorpe in the parish of Rudston.

knt., lately deceased, was long before his death seised in his demesne as of fee of the manor of Skalton, 8 messuages, 12 cottages with crofts, 200 acres of land, 300 acres of pasture and 100 acres of wood with the appurtenances; also of one water-mill, together with the advowson of the church of Skalton. He gave the premises, by a charter dated Oct. 14, 20 Hen. VII. (1504), to Margaret Middilton and Robert Wenslagh, clk., for the use of the said Margaret for life, rem. to the said Thomas Fairfax, knt., senior, in fee. The manor, etc., held of Thomas, earl of Derby, as of his manor of Thrisk, and worth 24 marcs a year.

Thomas Fairfax, knt., junior, was seised in his demesne as of fee of the castle and manor of Gilling in Ridall, 30 messuages, 300 acres of land, 1,000 acres of moor, 300 acres of wood, and one water-mill, and he granted the premises to Margaret Fairfax, widow, late wife of the said Thomas Fairfax, senior, Thomas Middilton, esq., John Pykeryng, and John Beilby, gent., to hold to the uses declared in an indenture made between the said Thomas Fairfax, junior, of the one part, and the said Margaret of the other part, dated April 24, 3 Hen. VIII. (1511). The castle, manor, and premises in Gilling are held of the said earl of Derby, as of the said manor, and worth 36*l.* a year. Thomas Fairfax senior was seised of the manor of Rudston, and 20 messuages, 40 acres of meadow, 40 bovates of land, 200 acres of moor, and 20 acres of wood in Rudston, Shirburn in Hertforthlith, Benton, Bukton, and Haretoft. By his charter, dated Oct. 14, 20 Hen. VII. (1504), he granted the premises to Richard Fairfax, clk., Robert Fairfax and John Fairfax, his sons, for their lives. The said Richard Fairfax died, and the said Robert and John survived him. The manor of Rudston held of Walter Gryffyth as of his manor of Agnes Burton in socage, by a yearly rent of 4*s.* Worth 8*l.* a year.

Thomas Fairfax junior was seised of 3 messuages, 12 bovates of land and 2 acres of meadow in Sherburn; 2 bovates of land in Rudston, late in the tenure of William Wilson, and a yearly rent of 2*s.* issuing out of certain lands and tenements, late of John Rede in Rudston. By a charter dated April 20, 20 Hen. VII. (1505), he granted the premises to Robert Fairfax, his brother, and Elizabeth, his wife, to hold in tail male. The premises in Sherburn held of the King as of his manor of Sheirburn, parcel of his manor of Sherifhoton in socage. Worth 3*l.* 6*s.* 8*d.* a year.

Thomas Fairfax junior was also seised of a tenement or burgage in Rypon, held of Thomas, archbishop of York, in free burgage in socage. Worth 13*s.* 4*d.* a year.

Thomas Fairfax junior died Dec. 1 last past. Nicholas Fairfax, his son and heir, aged 22 years and more. (*Inq. p. m.*, 12 Hen. VIII., No. 11.)

Guildhall of the City of York, Jan. 12, 12 Hen. VIII. (1520-1), before Thomas Parker, mayor of the said city, escheator, by the oaths of Robert Stokys, esq., John Stillyngton, esq., Brian Middynton, gent., etc., jurors, who say that Thomas Fayrefax of Walton, knt., was seised in his demesne as of fee of the manors of Acastre Malbys, Walton and Folifayt, 200 messuages, 30 bovates of land, 1,000 acres of wood, 200 acres of meadow, 1,000 acres of moor, in Acastre Malbys, Walton and Folifayt; one windmill in Acastre; and 5 burgages or tenements in the said city. By a charter dated April 24, 3 Hen. VIII. (1511), he granted the said premises with other property to William Fayrefax, one of the Justices of the Common Bench, Richard Shyrburne, knt., Thomas Fayrefax, son of Guy Fayrefax, deceased, knt., John Hamerton, Hugh Shyrburne, Robert Fayrefax, esq., John Pykeryng and John Beilby, gents., to use of the said Thomas Fayrefax of Walton in fee. The said William Fayrefax, Richard Shyrburne and John Hamerton died, and the others survived them. Manor of Walton, etc., held of William Gascoigne, knt., in socage by the rent of a pair of gilt spurs and a pound of cumin. Worth 10*li.* a year. Manor of Folyfayt, etc., held of the heirs of Alice Vavasour in socage. Worth 20 marks a year. Manor of Acastre Malbys, etc., held of the duke of Suffolk as of his Honour of Aye. Worth 45*li.* a year. The 5 messuages in York held of the King in free burgage. Worth 4 marks a year.

He was also seised in his demesne as of fee as of the manor of Copmanthorp, and of 8 tenements, 200 acres of arable land, 100 acres of pasture, 100 acres of moor, and 6 acres of wood; which by a charter (*date not given*) he granted to Thomas Par, Adrian<sup>1</sup> Wyndeshowre, John Reclyff,<sup>2</sup> knt., Brian Palmes, serjeant-at-law, Nicholas Palmes, Brian Palmes, junior, and William Marshall, to hold for the performance of certain covenants (*not specified*) contained in certain indentures of marriage made between the said Thomas Fayrefax of the one part, and Guy Palmes, serjeant-at-law, of the other part, dated July 6, 6 Hen. VIII. (1514). The manor, etc., held of the heirs of Peter Bruce, and worth 20 marks a year.

He was also seised of 4 messuages in Thorparche, and 5 marcs yearly rent issuing out of the mills there. Held of Thomas, earl of Derby, as of his manor of Thyrsk, and worth 9 marks a year.

Thomas Fayrefax died Dec. 1, 12 Hen. VIII. (1520). Nicholas, his son and next heir, then aged 21 $\frac{3}{4}$  years and upwards. (*Escheators' Inquisitions*, City of York, 11-12 Hen. VIII., File 272.)

<sup>1</sup> Should be Andrew.

<sup>2</sup> Should be Roclyff.



## X.

## WILL OF SIR NICHOLAS FAIRFAX, KNT., 1570.

In Dei nomine Amen. The seventhe day of Julye, in the yeare of our Lorde God one thousand five hundrethe threscore and tenne, after the computacion of the churche of England, and in the twelfte yeare of the reinge of our most drede soveraigne ladye Elizabeth, by the graice of God Quene of England, Fraunce, and Irelande, defendoure of the faith, etc., I, Nicholas Fairfaxe, of Gillinge, in the countie of Yorke, knighte, of hoole and perfecte memorie, praised be God, do revoke, repealle, and disanull all other my former wills, and do make this my last will and testament in maner and fourme as hereafter particulerlie and severallie followeithe, and will that this onelie shall stand and be my last will and testament. Firste, and before all thinges, I give and bequeathe my sowll to Allmightie God and my bodie to be buried at my parishe churche of Gillinge afforesaide, or elswheare yt shall please Allmightie God to call me to his mercie; and my executors to raise a conveniente tombe, accordinge to my degre, of the valewe of xxx or xl*li*., to be sett over my bodye at Gillinge, and my first wiffes children to be pictured and graven therupon. Item, I give, etc., to Alice, my wyffe, my manour of Walton, Thorparche, Wichell,<sup>1</sup> and Follifaite, in the countie of the citie of Yorke, with all my landes, etc., parcell of the same, not otherwise geven, etc., in full recompence and satisfacon of his dower; and yf she refuse, etc., then this my devyse, etc., to hir to be voide. Also to my said wyffe Alice suche goodes as I had of hirs, etc.; also the use and occupacon onelie of the furniture, of (*sic*) beddings, and hanginges, for two chaumbers of tapestry, and one basen and ewer of silver, and of two livery pottes of silver, and of a salte gilte, and of one dosen silver spones, and of a neste of bowles, and of a dosen silver trenchers, and of one drinkinge pott of silver, dubble gilte, duringe hir lyfe onelie, in recompence of the thirde of all my goodes, upon condicon she shalbe bounde with sufficiente seurties with hir in a sufficiente some of monye to my sonne and heire, that the same stuffe and plaite shalbe trewlie redelivered after hir deathe to the heir male of me, the said Sir Nicholas. The residewe of all my plaite, hanginges, beddinge, and all other my housholde stuffe, and also all the said beddinge, plaite, and hanginges, before by this my will appointed to the occupacon of my said wyffe, I give and bequeathe, etc., to him that shall happen to be my eldest sonne and heire at the tyme of my deathe; and likewise, after the deathe of my wiffe Alice, all such stuffe and plaite as she had in occupacon, upon condicon that he, my said sonne and heir, shall receive the

<sup>1</sup> Wighill,

same plaite and stuffe by indenture of my executors, and shalbe bounde with sufficiente seurties with him in the duple valewe of all suche goodes and plaite as he shall receive, to the Deane and Chapter of Yorke and their successors, when he shalbe therunto resonable required by my said executors, or to suche other person or persons as my executors, or the more parte of them, shall appointe; and to leave all suche plaite and houshold stuffe in as goode plighte and caise as he shall receive them of my executors, to the righte inheritours males of my said house of Gillinge; and so to remaine frome heire to heire as heirelomes of my gifte for ever, upon like condicon that the said heire be bounde with like sufficiente seurtie in maner and fourme as is afforesaid. And yf my sonne, Sir William, or any other my heire, refuse to be bounde, etc., then I will that my executors shall equallie give, deliver, and distribute the same amonges my yonger sonnes, that is to say, Nicholas, Thomas, Edwarde, Cuthbarte, and Henrie, to ther owne uses. Item, I will that my executors shall bestowe thre score poundes in thre basens and ewers, to be maid with my armes quarterlie in them. And of the said basens and ewers therof I give one to my sonne in lawe, William Bellases, one to my sonne in lawe, Henrye Curwen, esquier, one to John Vavasoure, esquier, and Ellinoure, his wyffe. Which basens and ewers my will and meaninge ys that my said sonnes in lawe, to whome I have bequeathed the same, shall onelie have the occupacon of the same, and after ther severall deathes to remaine to ther severall heires for ever as heirlomes of ther howses of my gifte. Also I will that my sonne and heire shall erecte, keipe, and continewe for ever one perpetuall and fre scoll within the parishe of Gillinge for pore scollers, to be broughte upp in good manors, erudicon, and learninge; and that the maister of the said scool for the time beinge shall frome tyme to tyme be admitted and appointed by [my] heirs, and in defalte of them by the parson of Gillinge for the tyme being, so that the same maister so appointed be of sufficiente knowledge to teache grammer, by the ordinarie of the dioces; and the said scolemaister, so beinge appointed, to have for his stipend or salarye tenne poundes yearlie, to be paid at the feastes of th'Annunciacon of the Virgin Marye and St. Michaell th'Archangell by owen porcons, goinge oute of my landes, etc., in Grimston, in the countie of Yorke, purchased by me, the said Sir Nicholas, with clause of distresse. And further, I will that my executors shall keepe howse at Gillinge, after my decease, for so manie of my servantes as shalbe with me at the hower of my deathe, by the spaice of one quarter of a yeare, of my costes and charges. And everye gentleman or yeoman, that is with

me at the tyme of my departure, and not by me before preferred to some farme or otherwaies, nor not havinge annuitie of me, to have one hool yeares wages. And every grome and others my servantes one halfe yeares waiges. To the children of my sister Elizabeth, *xxli.*; of my sister Isabell, twentie poundes; to the foure daughters of my sister Anne, *xlvi.*, accordinge to and in performance of an awarde, made betwixt me and the said Anne by the righte honorable the erle of Sussex, Lord President of the Quenes Maiesties Counsell in the North Partes, so that the said Anne, Elizabeth, Isabell, nor ther husbandes nor children, do moleste, vex, seute, or trouble my executors nor administrators, nor any of them, for any legacie or bequest granted or bequeathed by my father's or mother's will, nor any parte of ther goodes. Also unto my thre sonnes, unpreferred in marraige, in full recompence of thir childes porcon, that is to say, Edwarde, Cuthberte, and Henrie, everye of them, one hundrethe poundes. To Harrington Sutton, my wiffes sonne, *vli.* annuitie during his liffe out of my landes in Yearsley, in the countie of Yorke. Unto Richarde Ellerbye, for service donne and to be donne to me and my heires, one annuitie of *xxvjs. viijd.*, goinge oute of my landes, etc., at Redcarre, in the countie of York. Unto Thomas Tewer, my servaunte, one annuitie of *xxvjs.* goinge out of my landes at Yearsley. I make my executors dame Alice, my wiffe, my sonne, Sir William Fairfax, knt., Sir William Bellases, knt., my sonne, Nicholas Fairfax, Thomas Hungaite, esquier, my sonne, Cuthberte Fairfax, and Roger Dalton, gentlemen. I give them for their paines, to Sir William Fairfax, Sir William Bellases, Thomas Hungaite, everye of them, one geldinge, and to Roger Dalton one geldinge or six poundes, at his election.

A clause against infringeing or breaking his will by his wife or sonn Sir William, or any sonne who may be his heir, cutting them off from executorship or any benefit by legacy, &c.:—If sonnes William and Nicholas die without ysshewe male of thire bodies lawfully begotten, &c., the enheritance to descend to Henrye Fairfax, sonne of my sonne George, and if he be within *xxi* yeares, Cuthberte Fairfax, my sonne, to have the educacon, &c, of him until of full aige, &c. &c. In witnes whearof I, the said Nicholas, to theis seuerall five sheites of paper have subscribed, &c., the day and year above wrytten. Further, should my goodes not extend to the performance of theis legacies, &c., executors to have the profites of "my manors of Rudston, Haistropp and Colton untill" my legacies are satisfied. A clause if Henrye, sonne to my sonne George Fairfax, will not be rewld, &c., by my executors, &c., then my former gift, &c., to him to

be void . . . To Katherine Bellases, daughter of Sir William Bellases and Margaret, my daughter, his wyffe, 40*li.*, &c., towards the preferment of hir mariage. This coddicill. To my sonne, George Fairfax, 20*li.*; to my sonne Roberte, 40*li.*; to my sonne Sir William, the extente of Eligel (*sic*) upon the statute I have of the executors of Mr. Allington; to my sonne Nicholas, 40*li.*; sonn Thomas, 40*li.*, in recompence of all deptes and demandes betwixte him and me, upon condicon that he and his wiffe shall give in fourme of lawe a sufficiente release, &c. My sister Elizabeth, 40*s.* yearlie out of my lands during her life. To Nicholas Fairfax, 26*s.* 8*d.*, for his service heretofore done and hereafter to be done to myne heirs. To William Bawne, William Rokkes, John Tayton, George Hewett, for service heartofore donne, &c., each 26*s.* 8*d.*, goinge oute of such landes as my son William shall appointe, &c. To Jane Morterbie duringe her lyffe, 26*s.* 8*d.*, goinge furthe of such lands as my son William, &c. At my wiffes requiste, to Margarete Hall, my servaunte, 20*s.* Geven the 28 March, 1571, in the 13 yeare of Quene Elizabeth. Also I will that my executors shall have twoe yeares spaice in distribucon, &c., of all suche legacies as by this my last will, &c. Also I will that my sonne, Sir William Fairfax, duringe his lyffe shall have the educacon, &c., of Henrye, sonne of my sonne George Fairfax, &c.

Witnesses, Roberte Fairfax, gent., William Fairfax, gent., Richard Ellerby. Probate Oct. 30, 1572, to Sir William Fairfax; power reserved to other executors. Dame Anna Fairfax, relict of the said deceased, represented by John Brokett, notary public. (*Reg. Test.*, xix. 469.)

## XI.

## INQ. P. M. OF SIR NICHOLAS FAIRFAX, KNT., 1571.

Helmesley, May 1, 13 Elizabeth (1571), before Thomas Wood, esq., escheator. Nicholas Farefax, knt., died seised in his demesne as of fee of the castle and manor of Gillinge in Rydall, of a park commonly called Gillinge Parke, and of 30 messuages (*etc., as in last*), held of Edward, earl of Darbie, in socage as of his manor of Thurske, worth 26*li.* a year. Also of the manor of Rudston and 20 messuages (*etc., as in last*) in Rudston and Haistropp, held of Walter Grifforth (*sic*), knt., in socage, as of his manor of Annas Burton, at a rent of 4*s.* for all service, worth 8*li.* a year. Also of the manor of Skaltune and a water-mill with the advowson of the parish church, and of 8 messuages (*etc., as in last*), held of Edward, earl of Darbie, in socage as of his manor of Thurske, worth 10*li.* a year. Also of the manor of Colton,<sup>1</sup> 6 messuages, 3 cottages, 100 acres of meadow

<sup>1</sup> In the parish of Hovingham.

and pasture, 20 acres of wood, held of the same as of the same manor for the third part of one knight's fee, worth 10*li.* a year. Also of 5 messuages, 13 cottages, and 7 bovates of land in Ampleforth, held of the Queen in free socage and not in chief, as of the manor of Estgrinwitch in the county of Kent, worth 5*li.* a year. Also of a messuage, dovecote, water-mill, 20 acres of pasture, and 100 acres of moor in Yarseley, held of William Belleses, knt., in socage, as of his manor of Yeresley, worth 20*s.* a year. Also of the manors of Walton, Follyfoote and Acaster Malbis, and 80 messuages, 200 acres of land, 500 acres of wood, 100 acres of meadow, 600 acres of moor in the same, in the county of the city of York; and of 3 messuages in the city of York, and of 5 marcs annual rent from a water-mill in Thorpe Arche. Manor of Walton, held of William Gascoigne in socage as of the manor of Thorpe Arche, worth 10*li.* a year. Manor of Follifate, held of the heirs of Alice Vavasour in socage, worth 20 marks a year. Manor of Acaster Malbis, held of the Queen, as of her Honour of Aye, in socage and not in chief, worth 40*li.* a year. The tenements in York, held of the Queen in free burgage, worth 20*s.* a year. Also of 20 acres of pasture in Grymston,<sup>1</sup> held of Edward, earl of Darbie, as of his manor of Thurske. He died March 30 last (1571). William Farefax, knt., his son and heir, aged 40 and upwards. (*Chancery Inq. p. m.*, 13 Eliz., Part 1, no. 41.)

## XII.

## INQ. P. M. OF SIR WILLIAM FAIRFAX, KNT., 1598.

Helmesley, April 13, 40 Eliz. (1598), before William Holmes, esq., escheator, by the oaths of Ralph Tankard, esq., William Thorneton, esq., Thomas Barton, esq., George Ross, gent., William Nendicke, gent., Roger Lovell, gent., George Middleton, gent., Thomas Bullocke, gent., William Horsley, gent., Roger Ringrose, gent., Robert Rosse, gent., William Dawson, gent., and John Hill, yeoman. William Faierfax, knt., died seised in his demesne as of fee of the castle, manors, advowsons, and tenements mentioned in the last, except the houses in the city of York. He died Nov. 1 last past (1597). Thomas Fairfaxe, his son and next heir, is aged 22 years and upwards. (*Chancery Inq. p. m.*, 40 Eliz., Part 2, no. 127.)

<sup>1</sup> In the parish of Gilling.

THE LAST EARL OF WARENNE AND SURREY,  
AND THE DISTRIBUTION OF HIS POSSESSIONS.

By F. ROYSTON FAIRBANK, M.D., F.S.A.,  
*Corr. Memb. Brit. Archaeological Association.*

JOHN, the eighth and last Earl of Warenne and Surrey, was a remarkable man in many ways. He was the posthumous child of William, son of John de Warenne, Earl of Surrey, who figured conspicuously in the wars of King Edward I. in Scotland. His father William was killed in a tournament at Croydon, January 15, 1286. John was born on June 30 of the same year. He became a ward of Edward I., to whom he was related, and was betrothed to the King's granddaughter Joan, daughter of Count Henry de Bar, who had married the King's daughter Eleanor. Joan's parents were then already dead, and Joan also was a ward of the King. She was abroad at the time the betrothal was made public, March 15, 1306; but shortly after came to England, landing at Dover on April 13. The marriage took place in the chapel of the King's palace of Westminster on May 25 of the same year. Some curious entries were made in the Wardrobe Accounts in reference to the marriage, which are not without interest. The King gave three cloths of gold to his chaplain for performing the service.

"1306. April 12. In oblations of the King at the altar in his chapel, on account of the good news he heard from France, by the Lady Johanna de Baar, viis.

"1306. April 13. For the expenses of the daughter of the Count de Bare coming from Dover to the King, xx*li*.

"1306. May 25. In money lent and disbursed in the presence of the King, at the nuptials celebrated in the King's chapel at Westminster, between John, Earl de Warenne, and the Lady Joanna, daughter of the Count de Barr, x*ls*.

"Paid for divers minstrels, by command of the King.

"For letting fly the King's girfalcon.

"To Thomas, the coachbuilder, advanced on making a chariot for the Earl de Warenne, June 28, l*xs*.

"To Walter de Bardeney, advanced on harness being made for the said Earl, on the same day, c*s*.

"To Walter de Bedewynde, to pay for a new carriage for the use of the Countess de Warenne, by order of the Treasurer.

"July 4. For three horses bought for a chariot for the use of the Countess de Warenne, granddaughter of the King, by order of the Treasurer, xl*li*."<sup>1</sup>

John de Warenne was nineteen years of age at the time of his marriage, and Joanna de Bar was about half his age! Her father had died four years before, in 1302.

When Edward I. prepared to send an army into Scotland in 1306, he called upon the young nobility entitled to knighthood to come to London to receive the same at the Feast of Pentecost. Prince Edward, his son, was knighted at the same time. He was then twenty-two years of age. Langtoft says:—

"The yong Erle of Warenne with grete nobley was thare  
A wif thei him bikenne, the erles douhter of Bare."

A great number of young squires and noblemen then presented themselves at the King's palace; the number is variously estimated at between 200 and 400. It was impossible to find room for them all there, and accommodation was provided for many of them and their attendants at the New Temple. The apple trees in the gardens are recorded to have been cut down, and temporary booths, or 'haks,' and tents were provided for them. Prince Edward and his immediate confrères kept their vigil, watching their arms, in the Abbey Church at Westminster. Matthew of Westminster records that there was such a noise of trumpets and pipes, and such a clamour of voices, that one side of the choir could not hear the other. The others kept their vigil at the New Temple. The King provided them the necessary scarlet cloths, fine linen, and belts for their use from his own wardrobe.

The following morning the King in his palace invested Prince Edward with his knight's belts and spurs. The Prince then went to the Abbey to invest the others. The crowd was enormous, so great, indeed, that two knights were killed. Each candidate was attended by three knights, who saw and assisted him through the ceremony. Several of them fainted, and the Prince was unable to gird them with their belts, except *super magnum altare*. According to *Selden*, young Edward himself performed the ceremony upon sixty of the candidates. Other knights doubtless would assist. Then followed a great banquet, when two swans were brought in ornamented with gold network, emblematical of constancy and truth. When they were placed upon the table the King rose and made a vow to God, and to the *swans*, that he would set out for Scotland and avenge the death of Comyn, and punish the treachery of the Scots; and then

<sup>1</sup> *Wardrobe Accounts*, 34 Edw. I.

set out for Palestine.<sup>1</sup> It was under these exceptionally interesting circumstances that Warenne received his knighthood.

King Edward went with his army to Scotland, and died at Burgh-on-Sands, near Carlisle, July 7, 1307. The English returned home. It is not intended here to follow Earl Warenne's fortunes of war; that is a matter of general history; but his adventures will be alluded to so far as they affected him individually.

The troubles in Scotland soon broke out again, and the King issued writs for levies of troops, and he commanded the whole of his military vassals to assemble at Berwick-on-Tweed on 8 September, 1310, to proceed to the relief of Perth, then much pressed by the Scots. The disgust which the nobility felt at the presence of Gaveston, and his intimacy with the King, prevented many of them from attending in person, but they sent their contingencies. Warenne himself attended. Shortly after this Edward invaded Scotland with his army. When, after the Battle of Dunbar, in 1296, John Baliol lost his crown, he gave his son Edward as a hostage to King Edward I., and the father and son were taken prisoners to London, where they were lodged in the Tower, and remained there for three years. In 1299 the son Edward was in Prince Edward's keeping, and on November 18 of that year the King commanded his son to deliver him to John de Warenne, Earl of Surrey.<sup>2</sup> After the death of Earl Warenne in 1304, Edward Baliol appears to have remained in the care of the young earl on his succession to the title; for on September 20, 1310, when the King was at Roxburgh, he issued a mandate to John de Warenne to deliver Edward de Balliolo into the custody of John Weston, steward of the household of Thomas and Edmund, the King's brothers.<sup>3</sup> And on the 24th January following he issued a release to Warenne, and discharge of his bond for the custody of Edward de Balliolo,<sup>4</sup> whom, in obedience to the King's command, he had delivered into the said custody, in which he was to remain.

At this time (1310) the King gave to Earl Warenne 'the castle and honour of High Peak, for life, together with the entire Forest of High Peak, and the approvement of its wastes, with its knights' fees, advowsons, wardships, and other appurtenances, to hold as fully as William Peverel, sometime Lord thereof, had held the same; but subject to a yearly payment to the Exchequer of £437 6s. 8d.' This appears to have been paid in two equal instalments of 293 marks 10 shillings at Michaelmas and Easter. In October, 1310, and May,

<sup>1</sup> Rymer's *Fœdera*, i., part 2, p. 982, and *Math. Westminster. Bohn's Edition*, ii., p. 586.

<sup>2</sup> *Cal. Doc. relating to Scotland*, ii., p. 282, No. 1113. *Bain*.

<sup>3</sup> *Cal. Pat. Rolls*, 1307-1313, p. 283.

<sup>4</sup> *Ibid.*, p. 320.



1311, remission of a considerable portion of these payments, then due, was granted to him. On May 22 of this latter year the King remitted the whole of the payment for the remainder of the earl's life.<sup>1</sup> The grant and this remission included also the manors of Torpel and Upton, co. Northampton.

Much discontent existed at this time in consequence of the behaviour of Piers Gaveston, who was again taken by the King, on his ascending the throne, into his intimate and unlimited confidence. He held himself most insolently to the highest peers in the realm, and led King Edward into actions which were greatly resented by the people. In 1310, when Parliament was about to meet, on February 7, at Westminster, the King addressed a proclamation to his cousin Thomas, Earl of Lancaster, who sympathised with the malcontents, that 'no one shall repair to Parliament, summoned to meet at Westminster, with horses and arms. The safety of all will be insured in coming, attending, and returning. The Earls of Gloucester, Lincoln, Warenne, and Richmond are commanded to insure safe conduct; to provide for the general security; to arrest all persons who shall attend otherwise than has been commanded; and if any quarrel shall arise during the meeting of Parliament, they are to settle the same, and punish the offenders.'<sup>2</sup> This is the first notice among this collection of documents which shows the unsettled state of the country at that time; it also further proves the confidence that the King placed in the young earl.

In the following year, 1311, Thomas, Earl of Lancaster, who was first cousin once removed to Earl Warenne, having married Alice, daughter and heiress of Henry de Laci, Earl of Lincoln, who had died; the King issued a mandate to William le Vavaseur, keeper of the Castle of Pontefract, to deliver it up to Thomas, the said Earl of Lancaster.<sup>3</sup> This brought the Earl of Lancaster into close quarters with Earl Warenne at Sandal and Conisborough. Lancaster also owned property in Wales adjoining that of Warenne in that principality, as will be seen further on. On December 6 of this year the King confirmed a charter, dated 'the vigil of the Nativity of Our Lady,' 2 Edw. II., granting in fee to John de Wytham 400 acres of land in the waste of Bromfeld in Denbighshire, to hold by service of a knight's fee, and attending twice a year at the Court of the Earl's Castle of Chastellyon (Holt), and finding in time of war a man-at-arms, with a caparisoned horse, to remain in the Castle of Chastellyon for forty days, at his expense; and rendering a rent of £10 sterling a year.<sup>4</sup> This is interesting, as illustrating 'knight-service.'

<sup>1</sup> *Cal. Pat. Rolls*, 1307-1313, pp. 283, 341, 343, and 354.

<sup>2</sup> *Ibid.*, p. 206.

<sup>3</sup> *Cal. Pat. Rolls*, 1307-1313, p. 350.

<sup>4</sup> *Ibid.*, p. 405.

In 1312 Earl Warenne was appointed 'Conservator of the Peace for Sussex,' and on August 10 the King issued a writ, dated at Dover, in his aid as such, directed to the earls, barons, knights, and freemen, and others of the said county.<sup>1</sup>

About this time Warenne appears to have been 'sowing his wild oats' rather freely; indeed, he appears to have had a considerable supply, and he did not get rid of them all until his death. On January 17, 1313, the King issued a mandate directed to him, under pain of forfeiture, to abstain from attending a tournament at the town of Newmarket. Similar mandates were issued to Aymur de Valenein, Earl of Pembroke; Gilbert de Clare, Earl of Gloucester and Hertford; Payn de Tibetot, William le Latymer, Barth. de Badelsmere, and John de Geffrard of Brimesfeld.<sup>2</sup> Tournaments had to be put down at this time, as they were not held so much for 'chivalry' as for political purposes, and were a danger to the State. Warenne's association with the above-named knights shows that he was disaffected towards the King. He had been party to the siege of Scarborough Castle and the capture and execution of Gaveston. This prohibition does not appear to have been received very seriously by Warenne, for on September 16 following the King issued another mandate to him, dated at Windsor, 'forbidding him to tournay, &c., at Brackele, where he is preparing to do so this instant Wednesday, or elsewhere within the realm. The King is sending two of his clerks (named) and two of his sergeants-at-arms (named), the bearers of the mandate, *to explain this inhibition more fully.*'<sup>3</sup> Similar mandates were issued to Thomas, Earl of Lancaster; Gilbert de Clare, Earl of Gloucester and Hertford; Guy de Bello Campo, Earl of Warwick; Edmund, Earl of Arundel; and Humphrey de Bohun, Earl of Hereford.<sup>4</sup>

In October the King issued a pardon, dated at Westminster on the 16th of the month, 'To Thomas, Earl of Lancaster, and his adherents, for the death of Gaveston, and all deeds and actions connected therewith.' Warenne was one of the adherents, and received a like pardon.<sup>5</sup> Besides all this disorderly conduct of a political and public character, there were doings of a social and domestic character, which brought much trouble to all concerned.

#### DOMESTIC TROUBLES.

Warenne, as before stated, was a posthumous child, his father having been killed at a tournament at Croydon five months before he was born. He in this way became a ward of the King, who

<sup>1</sup> *Cal. Pat. Rolls*, 1307-1313, p. 485.  
(*Parl. Writs.*)

<sup>2</sup> *Ibid.*, p. 520.

<sup>3</sup> *Cal. Close Rolls*, 1313-1318, p. 71.

<sup>4</sup> *Ibid.*, p. 71.

<sup>5</sup> *Cal. Pat. Rolls*, 1313-1317, p. 25.

arranged for him to marry Joan de Bar, the King's granddaughter, by his daughter Eleanor, who married Henry, Count de Bar. Joan was left an orphan also; she was only ten years old when she was married to Warenne, who then was not quite twenty years of age. Youthful marriages were at that time common, and probably, as they were most of them marriages of policy, they would not turn out well. It certainly was so in this instance.

By the year 1313 there was evidently very serious domestic trouble between the young couple. Joan would then be seventeen years of age, and Warenne twenty-six. The first public act in the quarrel was that the King sent his yeoman, William de Anne, to the Castle of Conisborough, where Joan was staying, to fetch her away, and take her to him. This action may not have been understood in the neighbourhood, for it appears to have been much resented; for on May 7, 1314, the King issued a mandate, dated at Windsor, to the following effect. 'After stating the facts as above, it went on: 'Now, as the King understands that divers persons, on account of this, endeavour to disturb the said William de Anne, he grants him indemnity.'<sup>1</sup>

The cause of all the trouble was, of course, a young lady, Maud de Nerford by name, who was married to Sir Simon de Derby.<sup>2</sup> The scandal became public, and the matter was taken up by the Archbishop of Canterbury, Robert de Wynchelsey, who at a Provincial Council in London sent a monition to the earl, 'de votre desordené vie que vous mesnez gardant et retenant Maude de Neyrford.' Weever, in his *Funereal Monuments*, 1631, page 221, puts it in this quaint fashion:—Winchelsey, Archbishop of Canterbury, 'enforced John Warren, Earle of Surrey, to forswear the company of a certaine beautifull Wench, with the loue of which he was greatly bewitched.' Wynchelsey died on May 11, 1313, so that his monition would be previous to that date. On May 21 the King requests J., Bishop of Norwich, to suspend until his return from France the publication of certain sentences against John de Warenne, Earl of Surrey, who has been entrusted with the keeping of the peace.<sup>3</sup>

Warenne is said to have obtained a Bull of Divorce from the Pope, which the bishops ignored; and on May 26 they repeated their conviction that she was his true wife, and they could not be separated.<sup>4</sup> Apparently the Bull was thought to be a forgery; such were not unknown.

<sup>1</sup> *Cal. Close Rolls*, 1313-1317, pp. 45-46.

<sup>2</sup> Letter citing the nobleman, John de Warrenn, Earl of Surrey, and Matilda, who was the wife of S. de Diriba, on account of adultery, by the decree of the

Provincial Council, London. (Ducarel, *Abstracts of the Lambeth Registers*, Add. MSS., Brit. Mus., 6065, fol. 385.)

<sup>3</sup> *Syn. Rymer's Fœdera*.

<sup>4</sup> *Sussex Archæol. Coll.*, vi., p. 124.

On June 15 was issued a "safe conduct" until S. Peter ad Vincula (August 1) for Isabella (Joan), Countess of Warrenne, the King's niece, on her way to him beyond seas.<sup>1</sup> During June and July of this year Joan was staying at the Tower of London; and an order was issued to Ingelard de Warle, Keeper of the King's Wardrobe, to allow to Walter Waldeshelf, the King's butler, in his account, for six tuns of wine delivered by him, by order of W. Reynolds, Archbishop of Canterbury, Keeper of the Great Seal; and of John de Sandale, supplying the place of the Treasurer; to the men of the Countess of Warrenne, lately dwelling at the Tower—June and July, 6 and 7 Edw. II. (1313).<sup>2</sup>

The King took the matter up vigorously. He had recently given the castle and honour of High Peak to Warrenne<sup>3</sup>; he now, on February 22, 1314, issued the following from Canterbury: 'To the sheriff of Derby. Order to take into the King's hands, without delay, the castle, town, and manor of the High Peak, and the forest of the same lately committed to John de Warrenne, Earl of Surrey, arresting any persons who shall resist the execution of this order, taking with him for this purpose a sufficient force.' By K.<sup>4</sup> This appears to indicate the King's disapproval of his conduct.

On May 23 Walter Reynolds, Archbishop of Canterbury, and eleven of his bishops, also admonished Warrenne, 'as they could no longer suffer such contempt of Holy Church.' Warrenne, in reply, applied for a divorce on account of consanguinity, but the archbishop informed him that such a suit could only be carried on by consent of the bishops in whose dioceses his lands were; and again urged him to amend his ways, 'Comme vus estes estret de si noble linage, et vos mesmes si bealx et si nobles par la grace que Dieu vous ad donné.' And again, on May 26, they formally repeated their conviction that the 'Countess Joanna, that good lady, his consort, who so languished in expectation of his good pleasure and favour, was nevertheless his true and lawful wife, and that he could never be legally separated from her while she lived, for any reason that they had heard.'<sup>5</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1307-1313, p. 594.

<sup>2</sup> *Cal. Close Rolls*, 1313-1318, pp. 45-46.

<sup>3</sup> See p. 195.

<sup>4</sup> *Cal. Close Rolls*, 1313-1318, p. 38.

<sup>5</sup> Ducarel's abstracts of the entries referring to the attempted divorce are as follows:—

Littera ad citandum nobilem virum Johem de Warrenna, comit. Surrey, et Matildam quæ fuit uxor S. de Diriby in causa adulterii per decretum Concilii Provincial London. Fo. 52b Ducarel's *Abstract of the Lambeth Registers*, i.,

p. 385. *Add. MSS. Brit. Mus.* 6065 (52 vols., consecutive numbers).

Littera Regis conventionalis quod certi electi possint cognoscere in causa matrimoniali et divortii inter Johem Comitem Warren et dnam Johannam de Bars et Matildam de Neyrford. Fo. 72a *Ibid.*

Consensus epis. Cycestr., quod causa matrimonii et divortii inter nobiles personas Johem Comitem Warren et dnam Johannam de Bars ac Matildam de Neyrford tractarentur coram Archiepo Cants., vel suis commissariis. Fo. 72b,

The King in Council with the Bishops of Norwich and Hereford, *the Earl of Lancaster*, and other nobles, charged John Langton, Bishop of Chichester, to consider whether it was not time 'to draw the sword of the Lord to pluck out and destroy such vice,' inasmuch as the earl, 'unlike a true Christian, or son of Holy Mother Church, had no ways blushed to lead such an odious and execrable life, disregarding all good counsel, and *had broken into parks*,' &c.

This action of the Earl of Lancaster probably was the cause of Warenne's subsequent escapade. On June 10 the earl wrote from Sandal Castle to the Archbishop of Canterbury as follows:—

'To the honourable Father in God and our dear friend Walter, by the grace of God Archbishop of Canterbury, Primate of All England, his son John de Warenne, Earl of Surrey, greeting and due honour. Sire, in respect to that which we have learnt by your order, be pleased to understand that we are and shall be ready to do everything that Holy Church can demand by law and in reason; and upon divers other points we will answer you in time, in such a manner that no man shall be able to blame us rightfully or with reason: and, Sire, if you wish us to do anything that we can, be pleased confidently to command us, and we will do it to the utmost of our power. Adieu, Sire, and may God preserve you. Given at our castle of Sandale the 10th day of June.'

On June 18 the earl wrote to the archbishop. The matter was so serious that it behoved him to be well advised in his answer, and that he should require for that purpose a more distant day than the Quinzaine of S. John (June 24), which had been fixed.<sup>1</sup>

The earl commenced the legal campaign at York, appealing to the archbishop, the action being for divorce between the earl and Joan de Bar. John de Nassington, junior, Philip de Nassington, and William de Stanes, advocates in the York Consistory Court, were chosen to advise and represent Joan de Bar, and the archbishop (Greenfield) wrote from Helagh Park, ordering them to act, under pain of suspension, dating his mandate 4 August, 1314.<sup>2</sup>

Archbishop Greenfield wrote to the official of the Archdeacon of York on September 8 as follows:—'John, Earl of Surrey, has told us that when under age, and in charge of Lord Edward, formerly King

Commissio facta in eodem negotio  
ibid alia commissiones in eadem causa.  
Fo. 73 Ducarel's *Abstract of the Lambeth  
Registers*, Add. MSS. 6065, Brit. Mus.,  
fol. 385.

Citationes in eadem causa ibid; variae  
litterae d'ni Archiepi Johi Com. Warren  
in eodem negotio. Fo. 106a, 106b, 107a  
*Ibid*.

Littera Archiepi responsiva Cycestren  
Epo. super fact. Comit. Warrenne.  
Fo. 125a *Ibid*.

<sup>1</sup> *Sussex Archaeological Collections*, vi.,  
p. 125.

<sup>2</sup> From Archbishop Greenfield's Register.

of England, of illustrious memory, at the compulsion of certain nobles and magnates of the kingdom, he was compelled to marry the noble woman, the lady Johanna, daughter of the late Earl de Barro, though within the grade of consanguinity, *i.e.* in the third and in the fourth: he was entirely ignorant of this impediment when he contracted marriage, under force and fear; but when it was done, so soon as he was able and he dare, he opposed it: and afterwards having knowledge of the said impediment, for the relief of his conscience he made frequent and urgent applications to us to provide a remedy . . . . We therefore command you to cite peremptorily the said lady Johanna, in the castles of Conyngesburgh and Sandale, where she is known to have her domicile, if she can there be found, or her proctor, if she has left one there; if she has not, then on some Lord's Day or solemn day, whilst mass is sung in the parish churches of the said towns, and in other important and solemn places of the said archdeaconry, or where it appears to you expedient, by the publication of this citation, and by the proclaiming of it to her relations, acquaintances, and friends, she may not have any excuse of ignorance: that she appear herself, or by a proctor sufficiently instructed, before us, or our commissaries in this matter, in our Cathedral of York, on Wednesday next after the coming Feast of S. Michael, with the said earl, to have the matter gone into and settled: announcing publicly that they will proceed whether she be there or not. Report to us by your letters patent that this has been done. Cawod, 6 id. Sep. and the 9th of our pontificate.' (Sept. 8, 1314.)<sup>1</sup>

The Church of Rome by its various Councils has condemned marriage between persons related to each other to the seventh degree; but this has very frequently been got over by dispensation, and when persons have been married and subsequently become aware that they were related to each other within the forbidden degrees, on appeal their marriage has usually been declared valid and any children to be legitimate, a certain penance being enjoined. There are plenty of instances of this in the Papal Registers. King Edward I. and Edward II. (then Prince Edward) in 1298 both received dispensations from Pope Boniface VIII. The entries in the calendar are as follows:—

1298. 4 Boniface VIII. Register, vol. xlix., kal. July (1st) S. Peter's. Dispensation to Edward, son of Edward, King of England, and Isabella, daughter of Philip, King of France, to intermarry, notwithstanding that they are related in the third and fourth degree of

<sup>1</sup> *Letters and Papers from the Northern Registers.* Raine, pp. 228–9.

kindred.<sup>1</sup> Same place and date. The like to Edward I. and Margaret, daughter of Philip, late King of France, they being related in the third and fourth degrees of kindred and affinity, inasmuch as Eleanor (of Castile), Edward's deceased wife, was related to Margaret in the fourth degree of kindred.<sup>2</sup> (Foedera.) And a little later:—1317. April 1. Pope John XXII., at Avignon, sent an indult to King Edward, granting a general marriage dispensation to his sons and daughters with persons related to them in the fourth degree of kindred.<sup>3</sup> When the marriage of John de Warenne with Joan de Bar was arranged a dispensation was obtained from Pope Clement V. on account of their relationship to the common stock.<sup>4</sup>

Meanwhile, Parliament was ordered to meet in York. And the King appears to have interested himself in Warenne sufficiently to request hospitality for him during its meeting from Ralph de Monte Hermerii at the town of Clifton, near York. On August 18 the King dated at York the following in reference to this:—The hospitality to be shown, at the King's request, during the meeting of the next Parliament summoned at York, to John de Warenna, Earl of Surrey, by Ralph de Monte Hermerii at the town of Clyfton, by York, is not to be to the latter's prejudice in future. Ralph de Monte Hermerii asserts that he holds that town for the term of his life of the grant of the late King for his livery. By the King, on the information of W. de Melton.<sup>5</sup> The old question between the Archbishops of Canterbury and York was not lost sight of by the King, and he guarded against a collision. On September 3, at York, he wrote to John de Warenne forbidding him to impede the attendance of the Archbishop of Canterbury or his household at the Parliament summoned at York on the morrow of the Nativity of S. Mary, by reason of the disputes concerning the carrying of his cross in that province. (A special crucifix on a long staff, carried before an archbishop.)<sup>6</sup> Similar mandate to the Archbishop of York and the Dean and Chapter.<sup>7</sup> Archbishop Greenfield, on the other hand, guarded his rights when on September 15 he granted Warenne licence for an oratory at Clifton, near York, during the continuance of the present Parliament, provided that Walter, Archbishop of Canterbury, does not go there with his cross erect.<sup>8</sup>

<sup>1</sup> *Cal. Papal Registers, Papal Letters*, i., p. 576.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, ii., p. 139.

<sup>4</sup> *Ibid.*, iii., p. 173.

<sup>5</sup> *Cal. Pat. Rolls*, 1313–1317, p. 166.

<sup>6</sup> *Cal. Close Rolls*, 1313–1318, p. 194.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Fasti Ebor.*, Raine, i., p. 384. See *Yorkshire Archæological Journal*, xiii., pp. 85–98.

On October 1 Archbishop Greenfield appointed William de Rothwell, rector of Normanton, and Henry de Wylton, rector of Corney, to hear the suit for divorce.<sup>1</sup> And on October 2 he wrote to R., Bishop of Durham, to 'cite or cause to be cited, in manner and ways as you best are able, Matilda de Neyrford, that she appear personally before us, or our commissaries, in our church of Blessed Peter of York, on Wednesday next after the Feast of S. Luke, Evang. (Oct.), upon certain articles affecting the health of her soul, concerning which she before others has better known the truth, to be laid canonically before her from our office: that the truth may be stated and sworn to: and that justice may be done. Concerning the manner and the day when the citation was made, and in what manner this our mandate shall have been executed, ye shall certify us distinctly by your letters patent. York, Oct. 2, 1314.'<sup>2</sup>

Maud de Neirford appears to have been introduced into this application for a divorce because the law of the Church did not allow husbands to bring actions on the ground of consanguinity. What Maud had to say in the matter at this stage is not apparent, as there was then no mention of a pre-contract. Maud de Neirford, although she afterwards herself pressed a suit for the divorce on other grounds, does not appear to have liked the idea of then appearing before the archbishop. The Bishop of Durham acted in the matter as his report which follows shows, and with what result:—October 3, 1314. To the venerable Father in Christ, Lord William, Dei Gratia Archbishop of York, Primate of England, Richard, &c., Bishop of Durham, &c. We have received the letters of your paternity (as above). We are not bound, as we believe, to attend to or to execute a mandate of this sort beyond our diocese. Nevertheless, at the urgency of your demand and the request of certain princes and magnates, who in the presence of our lord the King urgently requested us upon this matter to go to the manor of the Abbot of Byland, in Clyfton by York, where the said Matilda was entertained both then and previously, as was commonly said, and remained. Going personally on the same day, we sought from Sir Alex. de Monfort, knight, and Robert de Reppes, servant, attendants of the noble man, the Earl Warrenne, then present in the hall of the same manor, that we might have access to the said Matilda. And when after waiting a long time we were not able to gain her presence, showing your citation to the said knight and servant, Mr. Andrew de Tange and Mr. Rich. de Ganio, notaries public, and many others standing by, we cited Matilda herself according to the

<sup>1</sup> *Letters and Papers from the Northern Registers*, Raine, p. 230 note.

<sup>2</sup> *Ibid.*, pp. 230-1.



force and effect of the same as much as we were able, to the said day and place, in the presence of the same; offering a copy of the citation to the said knight and servant, which in the presence of many they expressly refused to attend to . . . York, 5 non. Oct. of the above year. Mem.: That on 19th day of October, at Munketon, near Rypon, the lord (archbishop) received this certificate.<sup>1</sup>

On October 15, at Cawood, the archbishop appointed Mr. Robert de Ripplingham, Chancellor of York, Mr. Henry de Wylton, his official and commissary general, and Sir John de Hemingboro, rector of S. Wilfrid's, York, to adjudicate in the matter of Maud de Neyrford.<sup>2</sup> From what follows it is evident that the divorce was not granted; doubtless the dispensation (indult) of Clement V., permitting the marriage to take place, would settle the matter. The obstruction to the citation of Maud appears to indicate that the next plea put forward, *i.e.* that of pre-contract, was not then relied upon, though it may have been suggested.

In taking the case to York, Warenne appears to have thought that he would have a better chance than in the southern province, where the opposition to his views had already been very decided. Foiled, however, at York, he went to the bishop and archdeacon of Norwich, in whose diocese also, at Castle Acre, he had very extensive possessions. The archdeacon of Norwich did not act very discreetly in the matter, and got into trouble over it. On the eve of the Ascension, 1315, Thos. de Gerdeston, archdeacon of Norfolk, and one of his officers were impleaded before the King and his Council, then sitting in Parliament at Westminster, for that they on March 8 preceding—the King being then in his palace and holding his Parliament—did cite Joan de Bar, Countess of Warenne, she being then in attendance upon the Queen Consort, in the chapel of the said palace, to appear in the church of S. Nicholas of Braksden, to answer to Maud de Neyrford, in a cause of divorce between her and John de Warenne, Earl of Surrey. The fact having been proved, the archdeacon and his officer were committed to the Tower.<sup>3</sup> Some proceedings were taken before the archdeacon and his official, but to no purpose. The matter dragged on until February 20 in the following year, 1316, when the King was at Lincoln. He then consented to allow Maud's suit to be commenced afresh, on condition that all previous proceedings before the archdeacon of Norfolk should be annulled. The same day the King granted protection for Maud, her

<sup>1</sup> *Letters and Papers from the Northern Registers*, Raine, pp. 230-2.

<sup>2</sup> *Ibid.*, p. 232 note. Canon Raine, in the preface to that volume, at p. xliii., says:—"The depositions taken in the

case are not in existence at York, although some others are still preserved of as early a date."

<sup>3</sup> *Cal. Rot. Pat.*, edit. 1802, pp. 75-76.

men, advocates, proctors, witnesses, and their servants, whom she shall bring forward in the cause of the pre-contract between her and John, Earl of Surrey.<sup>1</sup>

He also at the same time granted protection, pending the suit, for John de Warenne and his men, advocates, proctors, and witnesses, and their servants, whom the earl shall bring forward in the cause of divorce between him and Joan de Bares.<sup>2</sup> On February 23 a letter was enrolled from John de Warenne witnessing that he had granted that he would be bound to the King in £200 yearly, to be paid for the maintenance of Joan de Bar, while the plea of divorce between him and her shall pend in Court Christian; and for her expenses in the plea; for payment whereof he charges his lands and chattels in the counties of Surrey and Sussex.<sup>3</sup> Mem.: That the earl came into Chancery before the King at Lincoln on the said day, and acknowledged the above deed.<sup>4</sup>

The conditions of the rehearing, and the provision to be made for Joan in the event of a divorce being granted, are set forth in the licence which the King issued in the following terms:—

Lincoln. Feb. 24, 1316. Licence for John de Warenne, Earl of Surrey, granted at his request, to bring his suit for a divorce against Dame Joan de Bars, the King's niece, in the Court Christian, before Mr. Gilbert de Middleton and Mr. William de Bray, canons of the church of S. Paul, London, and the prior of the Trinity, London: and that Maud de Neirford, upon withdrawing from her process of pre-contract, which she is bringing against him before Mr. Richard de Ringstede, official of the archdeacon of Norfolk, may commence proceedings anew against the said earl and Dame Joan, touching such pre-contract, before the above-named judges and others.<sup>5</sup> Within the quarter of a year after the divorce is pronounced, the earl is to enfeoffe Dame Joan of 740 marks yearly of land in the towns of Graham and Gretwelle, and the soke of Gretwell, and to give security for the due performance thereof. The earl is to be discharged from his recognizances of £200 a year for the sustenance of Dame Joan and the costs of his plea. By the King.<sup>6</sup>

There does not appear to be a record of the hearing of the two cases—Warenne's plea of kinship and Maud's plea of pre-contract.

<sup>1</sup> *Cal. Pat. Rolls*, 1313-1317, p. 401.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Cal. Close Rolls*, 1313-1318, p. 325.

<sup>4</sup> *Ibid.*

<sup>5</sup> Dr. Bensly, Norwich Registry, politely informs me: "I have searched between 1312 and 1316, both inclusive, in the

earliest book of this registry, 1299-1325, the time of Bishop Salmon, without finding anything relating to Earl John de Warennæ. The book appears to contain nothing but records of institutions. The Acts of Court book commence in 1490." (A letter dated 18 Oct., 1906.)

<sup>6</sup> *Cal. Pat. Rolls*, 1313-1317, p. 434.

A divorce was evidently not obtained, as the sequel proves, and the provision above named for Joan was therefore null and void. Besides the obstacle of the dispensation (indult) permitting the marriage, there was the further difficulty of the law of the Church:—

(17) We forbid the receiving of the testimony of such men as accuse their wives of being too near of kin, or of those whom they produce as witnesses; but in all things let the ancient authority of the fathers be preserved. Synod of London, 1126.<sup>1</sup>

It is easy to see why Maud was induced to act as she did, but 'there is no mention of a previous contract in the Lambeth Registers.'<sup>2</sup> Probably this plea was not treated seriously. It appears from *The Wardrobe Accounts* that the King appointed Mr. Aymer de Juvenzano to prosecute in the Court of Arches at London, and elsewhere in England, on behalf of the Lady Joan de Bar, the suit, and for his expenses from July 1 to November 26 following.<sup>3</sup> It would therefore be between those two dates that the matter was settled.

SURRENDER OF THE WARRENNE ESTATES TO THE KING,  
AND REGRANT.

Warrenne was anxious for a resettlement of his estates concurrently with the divorce which he desired; and therefore on Thursday next after the Feast of SS. Peter and Paul (June 29<sup>th</sup>) Warrenne issued letters patent as follows, granting his estates to the King, with a view to their being regranted to him on special terms, with special remainders:—

To all, &c. Know that I have granted and given back, and altogether quitclaimed for myself and my heirs to the most excellent Prince and Lord, my most dear Lord Edward, by the grace of God, the illustrious King of England, my castle and vill of Reygate, and my manors of Dorkyng, Bechesworthe and Kenyngton, with their appurtenances, in the county of Surrey. My castle and vill of Lewes, my manors of Cokefelde, Cleytone, Dychenyng, Mechynge, Peckham, Brightelmestone, Rottyndene, Houndedene, Northsee, Redemelde, Kymere, Middelton, Alyngtone, Worth, Picoumbe, and the vills of Iforde, Pydinghowe, Seforde, with their appurtenances, in the county of Sussex. My castles and vills of Conyngesburghe and Sandale, my manors of Wakefelde, Heytefelde, Thorne, Souresby, Braithewell, Fisshelake, Dewesbury and Halifax, with their appurtenances, in the county of York. Also my manors and vills of Staunford and Grantham, with all their appurtenances, in the county of Lincoln.

<sup>1</sup> *History of the Kings*, Simeon, of Durham.

<sup>2</sup> *Sussex Archæol. Coll.*, vi., 124 note.

<sup>3</sup> *Archæologia*, xxvi., p. 341 note.

<sup>4</sup> *Cal. Roman Missal*.

And also my castles of Dynasbran and Castro Leonis, and my lands of Brumfelde, Yale and Wryghtlesham, with their appurtenances, in Wales. And all other my manors, hamlets, lands and tenements, wapentakes, and hundreds, with their appurtenances, in the aforesaid counties and Wales, in lordships, demesnes, and services, without any thing withheld, to have and to hold to the same lord the King and his heirs, with knights' fees, advowsons of churches, abbeys, priories, and other religious houses, homages and other services of free tenants, villains with their villanages and their offspring—sequelis, warens, chaces, parks, woods, vivaries, ponds and marshes, fisheries, pastures, royal liberties, and whatever else belongs to the said castles, manors, hamlets, lands, tenements, wapentakes and hundreds in any way whatever, without any retention, or reclamation by me or my heirs for ever. In proof of which I have caused these my letters patent to be made to my lord the King. Given at Westminster, Thursday next after the Feast of the Apostles Peter and Paul, in the 9th year of the reign of the said King. Test, &c.<sup>1</sup>

Warrenne having thus surrendered his estates as above enumerated, the King proceeded to the appointment on July 1 of William Herle to take seisin of the above castles and estates in Wales; and the tenants of them were to do fealty and services to him in the King's name.<sup>2</sup> Also on the same day (July 1), at Westminster, he appointed Geoffrey de Scrope to take seisin of the above-named castles and estates in Yorkshire, and the manors and towns of Staunford and Grantham in the county of Lincoln, in the King's name; and also to take fealty of the tenants thereof, who are to obey him in all matters.<sup>3</sup>

At the same time and place he appointed Richard de Lusteshalle, King's clerk, to take seisin of the castle and town of Reygate, the castle and town of Lewes, and all other the above-named estates in the counties of Surrey and Sussex, in the King's name, and to take the fealty of the tenants thereof, who were to obey him in all things.<sup>4</sup> Also on July 3, at Westminster, he appointed Richard Lovel and Roger de Northburgh to take seisin of the manor of Kenyngton, county of Surrey, in the King's name, and to take the fealty of the tenants, who are to obey him in all things.<sup>5</sup>

On July 4, at Windsor, the King regranted to Earl Warrenne, for life, the towns of Staunford and Grantham, county Lincoln, as above named, which the earl had surrendered to the King. *Vacated because otherwise below.*<sup>6</sup> On July 6, at Westminster, he ordered Geoffrey le

<sup>1</sup> Transcript from *Close Roll*, 9 Edw. II., m. 2 dors (Mr. S. J. Chadwick), and *Cal. Close Rolls*, 1313-1318, p. 347. June 24.

<sup>2</sup> *Cal. Pat. Rolls*, 1313-1317, p. 485.

<sup>3</sup> *Cal. Pat. Rolls*, 1313-1317, p. 483.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, p. 485.

<sup>6</sup> *Ibid.*, p. 484.

Scrope to deliver to the earl, or his attorney, the castles of Conyngesburgh and Sandale, and all other his estates above named in the county of York, with all receipts while they were in his hands, which the King has regranted to him for life.<sup>1</sup> Also on July 6, at Windsor, the King ordered the same William Herle to deliver the above-named castles and estates in Wales to John de Warenne, Earl of Surrey, to whom he—the King—has regranted them for life, or to his attorney, with all goods therein.<sup>2</sup> Writ *de intendendo* for the earl, directed to all the tenants of the said castles and lands.<sup>3</sup>

By the above surrender and regrants, the earl had entirely given up for himself and his heirs all his property in Yorkshire, Surrey and Sussex, the towns of Staunford and Grantham in Lincolnshire, and his estates in Wales. He received back from the King *a life interest in them only*, the King reserving the disposal of the 'remainders.' The transactions did not affect his properties in Norfolk and Essex, and anywhere else.

Warenne had made provision for Joan in the event of the divorce being obtained, and it would appear, from what now took place, that the King and others expected that such would be the case. Was it intended that Warenne should marry Maud, and that the estates should be settled on her and her children in this way? But the position was for a time peculiar. Had it remained as then arranged, if the divorce had been obtained Joan would have had the annuity settled on her, and Warenne would have had a life interest only in the estates affected, and at his death they would have gone to the King, nothing going to Maud and her sons. Had he died before the decision, Joan would not have had any interest whatever either in the annuity or in these vast estates. But this state of things was made even worse for Joan, as will be seen.

At Lincoln on August 4 of the same year the King, 'wishing to do the aforesaid earl a special favour,' granted him a fresh charter settling the estates as follows:—

10 Edw. II., pt. 1, m. 28. 1316. Aug. 4. Lincoln. Regrant to John de Warenne, Earl of Surrey, for his life, with *remainder to John de Warenne son of Matilda de Neirford*, and the heirs of his body; and failing such issue, *to Thomas de Warenne, son of the said Maud de Neirford*, and the heirs male of his body; with final remainder, failing such issue, to the heirs of the body of the said earl; of the undermentioned castles, manors, and lands, and towns, which the earl had surrendered to the King, and his heirs (the manor of Kenyngton, co. Surrey, excepted, which the King has retained to himself and his

<sup>1</sup> *Cal. Pat. Rolls*, 1313-1317, p. 485.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

heirs), viz. the castle and town of Reygate, and the manors of Dorkyng, Kenyngton, and Bechesworth, county of Surrey. The castle and town of Lewes, and the manors of Cokefeld, Cleyton, Dychenyng, Mechyng, Peckham, Brightelmeston, Rottyngdene, Houndene, Northen, Radmeld, Kymere, Middelton, Alynton, Worth, and Picoumbe, and the towns of Iford, Pydinghowe, and Seford, county of Sussex. And all other manors, hamlets, and lands in those counties. And the castle of Dynasbran, and Holt Castle (Castro-Leonis), and the lands of Brumfeld, Yale, and Wryghtlesham, in Wales. With knights' fees, advowsons of churches, abbies, priories and other religious houses, homages and other services of free tenants, villeins, with their villeinages and issue, warrens, chaces, parks, woods, stews, ponds, marshes, fisheries, feedings, pastures, hundreds, liberties, and royalties.<sup>1</sup>

The same time and place. Regrant to John de Warennæ, Earl of Surrey, for his life, with *remainders to Matilda de Neirford*, for her life, with subsequent successive remainders as above, to John de Warennæ and to Thomas de Warennæ, sons of the said Matilda, and to the heirs of the body of the said earl, of the undermentioned castles, towns, manors, hamlets and lands, which the earl has surrendered to the King and his heirs, viz.: the castles, towns, and manors of Conyngesburgh and Sandale; the manors of Wakefeld, Thorne, Haytefeld, Souresby, Braithewelle, Fisshelake, Dewesbury, and Halifax; and other manors, hamlets, &c., as above.<sup>2</sup>

The same time and place. Regrant of John de Warennæ, Earl of Surrey, for his life, with *reversion to the King and his heirs*, of the manors and towns of Staunford and Grantham, co. Lincoln, together with the soke of the manor of Grantham, with knights' fees, advowsons of churches, &c., which the earl surrendered to the King and his heirs.<sup>3</sup>

In the following year (1317), on October 25, a deed of John de Warrenne, Earl of Surrey, was enrolled, rendering, granting, and releasing to the King the towns of Staunford and Grantham, with the soke and members, which the earl holds for life by demise from the King. Witnesses, J., Bishop of Winchester, J., Bishop of Ely, Ric., Bishop of London, Aymer de Valence, Earl of Pembroke. Dated at Kenyngton, near Lambeth.<sup>4</sup>

#### EARL WARRENNE AND THOMAS, EARL OF LANCASTER.

Whilst all this litigation was proceeding, public affairs went on as usual. Earl Warrenne was himself also engaged in providing for the

<sup>1</sup> *Cal. Pat. Rolls*, 1313-1317, p. 528.

<sup>2</sup> *Ibid.*, pp. 528, 529.

<sup>3</sup> *Cal. Pat. Rolls*, 1313-1317, p. 529.

<sup>4</sup> *Cal. Close Rolls*, 1313-1318, p. 569.

King's army in the North. In August the King was at York, and on the 22nd of that month sent a mandate to the steward, marshalls, and other ministers of the King's household, to permit the servants of John de Warennæ, Earl of Surrey (as the King does not wish them to be interfered with by his ministers), to make purveyance of victuals and necessities for the use of the earl at Newcastle-upon-Tyne, in the parishes of Wessington, Jaron, and Hoghton, which are in the liberty of the Bishop of Durham, with the assent of the bishop. By the King.<sup>1</sup>

Now that the question of divorce was settled against Warenne's claim, he appears to have set about to arrange retaliation upon Thomas, Earl of Lancaster, who had joined with the King and bishops, as before stated, in endeavouring to put a stop to his intercourse with Maud de Neirford. The event, which was of national importance, is thus recorded by Walsingham:—

'1317. In this year, on Monday preceding the Ascension of our Lord, the Countess of Lancaster, the lawful wife of the noble man, Lord Thomas, Earl of Lancaster, was seized at Canford, in Dorset, by a certain knight of the house and family of John, Earl Warenne, with many English retainers called together for the detestable deed, as it is said, with the royal assent. And she was conducted, with not a little pomp, in contempt of the said Earl of Lancaster, to the said Earl Warenne, to his castle of Reigate. And while the lady was so conducted, behold during the journeying among the woods and fences, between Haulton and Farnaham, the leaders saw at a distance flags and banners, for the priests were going with the people, making processions in the usual manner about the fields (Rogation days). The conductors therefore of the countess, struck with sudden fear and terror, thinking that the Earl of Lancaster, or some people sent by him to obtain the said lady, and vindicate themselves against so great an injury, fled with all celerity, leaving the countess almost alone. But when the truth of the affair was discovered, they returned with threats and bluster. With them was a certain man of miserable stature, lame and hunchbacked, called Richard de S. Martin, exhibiting and declaring constantly his evil intentions towards the lady, so miserably led away. He, puffed up by great encouragement, demanded her as his wife, firmly declaring that he had known her carnally before she married the Earl of Lancaster. Also he stated that she publicly acknowledged it, and admitted it to be true . . . . . Therefore the said Richard, exalting himself above himself, dared to claim in the King's Court the earldom of Lincoln and Salisbury, in the name of his wife—*jure uxoris*—but in vain.'<sup>2</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1313-1317, p. 538.

<sup>2</sup> *Historia Anglicana*, Rolls Series, pp. 148, 149.

Insult and retaliation appear to have been generally believed at the time to have been the motive of this attack, for *The Chronicle of Meaux Abbey* has the following:—‘1317. John, Earl of Warrenne, seized the wife of Thomas, Earl of Lancaster—not for the sake of adultery, but to insult the aforesaid earl.’

Thomas, Earl of Lancaster, was not long in resenting this insult. He divorced his wife Alice, who it appears had a history, and he waged a private war against Earl Warrenne. He besieged his castles, Sandal and Conisborough, in Yorkshire, and attacked his estates in Wales. Warrenne supported the King, and as Lancaster was on the popular side, the animosity and variance were great. It was believed that the King consented to the insult to Lancaster and the attack upon his wife. In November of this year, 1317, the King interfered to stop this private war. He and the Council sent the following to Lancaster on November 3, dated at Westminster:—‘The King has lately heard that the earl has, with a multitude of armed men, besieged and captured divers castles of John de Warrenne, Earl of Surrey, in the county of York, and that he still detains them; and has done many other things in those parts to the disturbance of the King’s peace. Wherefore, the King orders him to desist entirely from these proceedings; and if he have done any such things, to cause them to be amended in due form: and forbids him to go armed, or to assemble men-at-arms: or to do anything else to this disturbance of the King’s peace. The King is prepared to do justice in his Court concerning the things that the earl has to prosecute against the Earl of Surrey and certain others. By K. and C.’<sup>1</sup>

This notice had little effect, and the warfare between them went on. In the following June—1318—the King sent the following order to Lancaster:—‘Westminster. 12 Edw. II., 1318. June 16. To Thomas, Earl of Lancaster. Order forbidding his attempting anything in breach of the King’s peace in the matter of the lands and fees of John de Warennia, Earl of Surrey, in Bromfeld and Yal, in Wales, as the King understands from John’s complaint, that he is endeavouring to occupy the lands and fees aforesaid by armed force, and to draw to himself the homages, fealties, and other services of the said John’s tenants in those lands.’<sup>2</sup>

<sup>1</sup> *Cal. Close Rolls*, 1313–1318, p. 575.

<sup>2</sup> *Ibid.*, p. 554.

Bromfeld and Yale. Emma the widow of Grenfydd ab Madoc, who died in 1270, disagreed with her husband’s relatives as to the education of her sons. She obtained possession of the two older ones, and delivered them as wards to Edward I. One of them, with his inheritance of Bromfeld and Yale, was placed by him

in the charge of John de Warrenne, Earl of Surrey, and Llewelyn, the other, with his inheritance, Chirk and Trankedwy, was placed in the care of Roger Mortimer. These noblemen, having obtained possession of those territories, conspired together, and caused the two sons to be drowned in the River Dee. After this murder, they each received from the King a grant of the possessions of their respec-



An agreement was made between the two earls, which is recorded as follows by Malmesbury in his *Vita Edwardi II.*: 'Inter comitem Lancastriæ et comitem de Warennæ facta est concordia per escambiam quarundam terrarum, quas autem comes imperpetuum possidebit hæreditate. Jacturam fecit ut evitaret majus periculum, quia de duobus malis minus malum est eligendum. 1318.'<sup>1</sup>

Lancaster appears to have been desirous of getting rid of Warenne from the neighbourhood of his castle of Pontefract, and to have effected an exchange of lands on the Vigil of St. Andrew (*i.e.* Nov. 29, 1318). Warenne granted his life interest in all his castles, lands, tenements, advowsons of churches, and houses of religion, franchises, and knights' fees, &c., to the Earl of Lancaster and his heirs and assignees. And these he, for himself and his heirs, guaranteed to them against all men and women. This charter was sealed and dated at Doncaster by Warenne, in presence of the following witnesses. Robert de Holland, Esteven de Segrave, Gerrard Salvein, John de Eure, Adam de Swyllington, Adam de Everingham, Adam de Huddleston, John Bek, Warein de Scargil, Thomas Louth, Griffith de la Pole, William Trussell de Potling, knights, and others.<sup>2</sup>

On January 1, 1319, the King granted licence to the Earl of Lancaster to receive lands from Earl Warenne in the following terms:—

The King, &c. Know ye that of our special favour we have granted and given licence on behalf of ourselves and our heirs, as much as we have power, to our dear and faithful cousin, Thomas, Earl of Lancaster, that he may have and hold for the whole of the life of John de Warennæ, Earl of Surrey, of us and our heirs, the castles, villis, and manors of Conyngesburgh and Sandale; and the manors of Wakefeld, Thorne, Heytefelde, Souresby, Braithwell, Fisshe-lake, Dewesburi, and Halifax, with their appurtenances, in the county of York; and also the castles of Dynasbran and Castrum Leonis,

tive wards, dated at Rhuddlan, Oct. 27, 1281, with the exception of the castle of Hope, and the lands thereto pertaining, which King Edward kept for himself. The lordship of Bromfeld and Yale passed in 1347 to the Arundel family; the lordship of Chirk and Tranheudwy passed by purchase, also to the Earls of Arundel. (Lewis, *Topo. Dict.*)

Denbigh. The lordship of Denbigh was granted by Edward I. to Henry de Laci, Earl of Lincoln, who erected a castle, and walled the neighbouring village. The lordship descended by the marriage of Alice, the earl's daughter and heiress, to Thomas, Earl of Lancaster. (*Ibid.*)

Pontefract. In like manner Pontefract passed to Thomas, Earl of Lancaster.

1311. May 27. Scremerston. 4 Edw. II. Mandate to William le Vavasour, keeper of the castle of Pontefract, to deliver it to Thomas, Earl of Lancaster, who has married Alice, daughter and heiress of Henry de Lacy, late Earl of Lincoln, and of Margery his wife, sometime Countess of Salisbury. By P.S. (*Cal. Pat. Rolls*, 1307-1313, p. 350.)

<sup>1</sup> *Chronicle of the Reigns of Edward I. and Edward II.* Stubbs. Rolls Series, vol. 76, ii., p. 240.

<sup>2</sup> *Maynard MSS.*, vol. xii., item 36. Library of Lincoln's Inn.

and lands of Bromfelde, Yale and Brightlesham, with appurtenances, in Wales, which are held of us *in capite*, and which our dear and faithful John de Warenna, Earl of Surrey, lately held, by our grant under a certain form, for his life, which also the said Earl of Lancaster has entered upon and holds in the same manner; without obstacle or impediment of us and our heirs, justices, escheators, sheriffs or other bailiffs, or ministers, whatever. In token of which, &c. Dated at Beverley as above.<sup>1</sup>

And in January, 1319, the King granted licence that John de Warenne, Earl of Surrey, may grant divers manors and military fees in the counties of Norfolk and Sussex, to Thomas, Earl of Lancaster, in fee.<sup>2</sup> And Thomas, Earl of Lancaster, granted to John de Warenne, Earl of Surrey, for life, 1,000 marks per annum in different counties.<sup>3</sup>

And on January 3, at Beverley. The King, &c., as above, to our dear and faithful cousin, Thomas, Earl of Lancaster, that he, of the lands which he holds of us *in capite*, in the counties of Somerset, Dorset, and Wiltshire, may give and grant to our dear and faithful John de Warenne, Earl of Surrey, 1,000 marks per annum of land and rent, with appurtenances, to be had and held to the same Earl of Surrey for his life, and to the same Earl of Surrey that he may receive the said 1,000 marks of land and rent, with appurtenances, from the said Earl of Lancaster, to hold for his life, according to the tenor of the previous licence, we have similarly given special licence, &c. Beverley.<sup>4</sup>

Conisborough Castle having come into Lancaster's possession, he appointed John de Lassell his constable there, and on January 24, 1318, he wrote to him from Pontefract Castle to deliver four timber trees out of the wood at Conisborough to his well-loved companion, Mon. Nichol de Segrave,<sup>5</sup> for the repair of some buildings which had been burned at Dinnington. And on February 23 of the same year he wrote from Pontefract to the same John de Lassell to deliver two trees out of the same woods of Conynggesburgh to the Austin Friars of Tickhill, of his gift. And from his manor of Beurepeir he wrote to the same John de Lassell, his constable at Conisborough Castle, 'facez liverer un fuit por marim por repailler la couverture de la chapele de Conynggesburgh.'<sup>6</sup> In the year 1319 Lancaster presented to the living of Hatfield, instituted May 29.<sup>7</sup>

<sup>1</sup> *Duchy of Lancaster*, Class xi., No. 11, fol. 66 dors. (Mr. S. J. Chadwick.)

<sup>2</sup> *Cal. Rot. Pat.* in Turri Lond., p. 84b, m. 4.

<sup>3</sup> *Ibid.*, p. 86b, m. 21.

<sup>4</sup> *Duchy of Lancaster*, Class xi., No. 11, fol. 66 dors. (Mr. S. J. Chadwick.)

<sup>5</sup> Segrave was one of the witnesses to Warenne's surrender.

<sup>6</sup> Watson's *Earls of Warenne and Surrey*, ii., pp. 26, 27.

<sup>7</sup> Hunter's *South Yorkshire*, ii.; *Deanery of Doncaster*, ii.

In the year 1320 Pope John XXII. wrote to the Earls of Lancaster and Warenne, commending to their favour the Abbot of Cluny, and especially the house of Lewes, which belongs to Cluny.<sup>1</sup> The Abbot of Cluni appears not to have been able to get the money due to him from England.

The documents under consideration refer to Warenne himself and his property. His public acts, such as his command at the Siege of Berwick, &c., form a part of the general history of the time.

By the year 1322 Lancaster's position was undoubted. He was the public enemy of the King, leading an army against him, and in league with the Scots for an invasion of England. On January 10, 1322, the King, dating from Kingswinford, appointed William de Anne, King's yeoman, to arrest all disturbers of the peace; and if John de Moubray, lord of the Isle of Haxeholme, who is reported to have made ready to aid the contrarient at the besieging of the King's castle of Tickhill, has gone to their assistance, he is to seize into the King's hands his lands and goods in that island, and to hold them, answering to the King in his chamber for the issues thereof.<sup>2</sup>

At this time the popular party were inclined to treat with the King; and on Sunday, January 13, the King, at the request of Thomas, Earl Marshall, Edmund, Earl of Kent, Aymer de Valence, Earl of Pembroke, Edmund, Earl of Arundel, and John, Earl of Warenne, issued at Newport a safe conduct for Roger Mortimer, of Wigmore, and others of his company, Barth. de Badelemere excepted, coming to treat with the above-named earls.<sup>3</sup>

On March 11 the King at Tutbury issued a writ of aid for Edmund, Earl of Kent, the King's brother, and John de Warenne, Earl of Surrey, who had been appointed to arrest Thomas, Earl of Lancaster, John de Moubray, Barth. de Badelemere, and others; and to besiege and take the said Earl of Lancaster's castle of Pontefract.<sup>4</sup>

The Despencers, father and son, were now in great favour with the King; and in consequence the other barons were jealous of them, and leagued against them. When Parliament met in July, 1321, sentence of banishment was passed upon both of them. Warenne, who all through the reign of Edward II. appears to have skilfully sat on the fence, with one foot on each side, was one of the barons in league against them. Parliament at the same time agreed to a pardon being issued to those who had been party to the banishment. On August 20 the King and Council caused a 'Pardon to be issued to John de Warenne, Earl of Surrey, pursuant to the agreement lately

<sup>1</sup> *Cal. Papal Registers, Papal Letters*, ii., p. 424.

<sup>2</sup> *Cal. Pat. Rolls*, 1321-1324, p. 47.

<sup>3</sup> (*Parl. Writs*) *Cal. Pat. Rolls*, 1321-1324, p. 48.

<sup>4</sup> *Ibid.*, p. 81.

made in Parliament, last midsummer, of any actions by reason of anything done against Hugh le Despencer the son, and Hugh le Despencer the father, between March 1 and August 19 last' (1321).<sup>1</sup>

Lancaster, the leader of the popular party against the King, was all powerful in the North, having dislodged Earl Warrenne from his castles and lands there. Warrenne, though he did not openly go against Edward, yet assisted in banishing his favourites. So far at least he was in sympathy with the Queen, for she hated them. It has been seen that Warrenne's wife, Joan de Bar, was in favour with the Queen, for she was in attendance upon her at Westminster when the official of the archdeacon of Norwich got into trouble.

The siege of Pontefract Castle closed Lancaster's career. He was taken, and after a show of a trial in the hall of his own castle, before the King, he was condemned to death, being refused a hearing. He was executed outside his own castle.<sup>2</sup> Lancaster being now dead, the King, dating at Pontefract, appointed, during pleasure, Simon de Balderston and Henry de Athelardestre to audit the accounts of all present or past receivers, bailiffs and keepers of the lands and goods late of Thomas, sometime Earl of Lancaster, and other rebels on this side of Trent; and of the lands of Bromfeld, Yale, and Dynbigh in Wales, which are or may fall into the King's hands by forfeiture.<sup>3</sup> Immediately after this, on May 27, the King surrendered to Earl Warrenne the castle of Holt (Castrum Leonis) and all the lands of Bromfeld and Yale in Wales, which Thomas, Earl of Lancaster, held for life of the demise of Earl Warrenne, as before explained, which castle and lands are, with all other lands of the Earl of Lancaster, on account of his rebellion, in the King's hands. And at the same time and place was issued a mandate to Oliver de Ingham, keeper of the same castle and lands, to deliver them to the Earl of Surrey.<sup>4</sup>

Amongst the lands which had been granted by Lancaster, to the value of 1,000 marks per annum, as before stated, were the manors of Troubryg, Wynterburn, Aumbresbury, Caneford, and others, which Warrenne was to hold for life. These were part of the inheritance of Alice, late wife of the Earl of Lancaster; and as she had granted them in remainder<sup>5</sup> to the King, after Warrenne died, he—Warrenne—was now called upon, by mandate from the King, dated at York, July 10, 1322, to do fealty for them to Henry de Thrapton, King's clerk, who was appointed by the King to receive the same in his name.<sup>6</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1321-1324, p. 15.

<sup>2</sup> An interesting account of this period, by Mr. Leadman, F.S.A., appears in vol. vii., p. 330, of this *Journal*, entitled "The Battle of Boroughbridge."

<sup>3</sup> *Cal. Pat. Rolls*, 1321-1324, p. 103.

<sup>4</sup> *Ibid.*, p. 122.

<sup>5</sup> July 9, 1322.

<sup>6</sup> *Cal. Pat. Rolls*, 1321-1324, p. 179.

## FORFEITURE OF THE EARL OF LANCASTER.

In the early part of the following year (1323) Earl Warenne was again engaged on behalf of the King in the North of England. On February 12 the King, at Pontefract, granted protection with the clause '*volumus*,' until Whit-Sunday, for John de Warenne, Earl of Surrey, going to the Marches of Scotland on the King's service, and a similar protection to others going with the earl; included among them was Thomas de Nerford.<sup>1</sup> And on March 3 the King, being at Knaresborough, issued a commission to Warenne to array all fencible men of the parts of Richmondshire, co. York, so as to be ready by Palm Sunday or sooner, to march, after three days' notice, against the Scots, who are preparing to invade the realm. Similar commissions were issued to others for other places.<sup>2</sup>

The Warenne castles and estates in Yorkshire were now in the King's hands through the forfeiture of the Earl of Lancaster. The following entries in the calendars are evidence of this, as they relate events which took place during his tenure of them.

On May 8, 1323, 16 Edw. II., the King was at Cowick, and appointed William le Waller to the custody of the gate of the castle of Conyngesburgh, for life and during good behaviour, on the same terms as it had been held by former keepers, viz.: he was to be paid at the hand of the receiver there *2d.* a day, and a mark a year for his robe. And at the same time and place an order was made to the receiver to pay that sum out of the issues of his bailiwick; and for an allowance of the same to be made in his account at the Exchequer.<sup>3</sup>

Roger de Flete was at this time constable of Conisborough Castle, and he had charge of Mr. William de Walyngford, clerk, for his adherence to Roger Damory, a rebel. On September 11 the King, at Richmond in Yorkshire, ordered him to deliver the said William from the King's prison there; and at the same time the King granted William a pardon.<sup>4</sup>

Roger de Flete does not appear to have been particularly successful in his office, or to have had a very comfortable time of it, for the King on October 12, 1325, at Westminster, issued a commission of *Oyer and Terminer* to John de Donecastre, William de Anne, and another, on complaint by him—Roger de Flete, late constable of the King's castle of Conyngesburgh—that, whereas he went to the church of Conyngburgh to audit the accounts of divers of the King's bailiffs, and to levy the King's moneys according to his office, Alan de

<sup>1</sup> *Cal. Pat. Rolls*, 1321-1324, p. 237.

<sup>2</sup> *Ibid.*, p. 261. (*Parl. Writs.*)

<sup>3</sup> *Cal. Pat. Rolls*, 1321-1324, p. 293.

<sup>4</sup> *Ibid.*, p. 340.

Vesci, William de Vescy, John de Vescy, Elias de Vesci, and others, assaulted him in the execution of the King's business, and his men and servants, whereby he lost their service for a great time; and besieged him in the church, and prevented him from doing the business.<sup>1</sup>

Another of the King's officers here, William de Burcestre, the King's parker at Conyngesburgh, had some trouble with the same people; and on July 12 of this year—1325—the King at Westminster issued a commission of *Oyer and Terminer*, on complaint of the said William, that Alan de Vescy of Conyngesburgh, Henry de Moseley, John de Cresacre, and others, assaulted him at Donecastre, and carried away his armour and other goods; and assaulted Richard Bisshop, his servant; and prevented him, the said William de Burcestre, from exercising his office.<sup>2</sup>

On December 17, 1324, the King at Nottingham issued a writ of aid, directed to the sheriff and others of the county of York, for Richard de Moseley, King's clerk, keeper of the castle of Conyngesburgh, and of other forfeited lands in that county, who had been appointed by the King to make four springalds out of the issues of his bailiwick, two to throw quarrels of  $\frac{3}{4}$  ell in length with iron; and two to throw quarrels of  $\frac{5}{8}$  ell with iron; and 300 quarrels  $\frac{1}{2}$  of each length, and to cause the same to be brought to Kyngeston upon Hull by the Purification, to be delivered to Richard la Pole and his fellow-collectors of the custom in that port.<sup>3</sup>

#### EARL WARRENNE IN AQUITAINE.

Trouble now occurred in Aquitaine. In 1323 the Pope, John XXII., interfered in the interest of Bernard Jordon, Lord de l'Isle, whom the officers of King Edward were said to have molested. He wrote to Earl Warrenne, asking his interposition. The Pope appears to have looked to Warrenne for support, and he must have considered him 'a good son of the Church,' and to be a trusted adviser of the King. Shortly before this Rigaud, Bishop of Winchester, had died while at the Papal Court, and the Pope appointed, as was considered at the time and under the circumstances to be his right, John de Stratford to the See, and had consecrated him. The King, being unaware of this appointment, wrote to the Pope in favour of Robert Baldock. The Pope therefore wrote to the Archbishop of Canterbury, Hugh le Despencer, junior, John de Warrenne, and others, to interpose, and induce the King to treat John de Stratford with favour.<sup>4</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1324–1327, p. 232.

<sup>2</sup> *Ibid.*, p. 225.

<sup>3</sup> *Ibid.*, p. 60.

<sup>4</sup> *Cal. Papal Registers, Papal Letters*, ii., p. 452.

Affairs in Aquitaine being very unsettled, and King Edward's brother-in-law, Charles, King of France, being on anything but friendly terms with him, he made preparations for an expedition there. On February 25, 1325, the King ordered certain payments to be made to John de Warenne, Earl of Surrey, who was going to Aquitaine.<sup>1</sup>

The King arranged to cross to Gascony with men-at-arms in Mid-Lent,<sup>2</sup> but at the request of the magnates of the realm, who could not be ready in so short a time, he put off his passage; and, with their counsel and assent, gave orders to send forward men-at-arms, horse and foot, in a certain fleet, and at his request Earl Warenne covenanted to go with 100 men-at-arms at his wages, in the said fleet, to stay for half a year from the day of landing. On March 2 the King at the Tower of London granted to Earl Warenne that this covenant should not be to his prejudice, or drawn into a precedent. He further granted that the earl should not be bound to stay there beyond the half-year, unless he—the King—should come to the duchy in person.<sup>3</sup>

By March 4 Earl Warenne had actually gone to Aquitaine on the King's service, and he—the King—on that day at Winchester granted to the earl, that in case of his death there while in his service, he will betake himself to the earl's heirs in respect of what is due from the earl at the Exchequer, as well for his own debts as for those of his ancestors; so that the executors of his will shall have free administration of his goods for the execution of his will.<sup>4</sup>

#### THE COUNTESS JOAN WITH THE QUEEN IN FRANCE.

Queen Isabella undertook a mission to her brother, the King of France, to endeavour to promote peace between him and her husband, King Edward. On March 9 she landed at Calais on her mission. On May 30 there is an entry in her treasurer's account: 'Isto die fuit Regina in Palatio, Paris, coram concilio Regis Franciæ, poro pace concordanda.'<sup>5</sup>

The treaty was signed on May 31. It is given in Rymer's *Fœdera*. It stipulates for the King's personal homage to the King of France for Guienne. The day fixed passed, but he had not left England, being prevented by 'sickness.' The day for the homage, fixed for August 15, was changed to August 29, the place to be Beauvais. The King not having presented himself, to prevent trouble, it was proposed that he should surrender to Prince Edward, his son, all his possessions in France, and that the Prince, and not the King,

<sup>1</sup> Synopsis of Rymer's *Fœdera*.

<sup>2</sup> April 1. The King appointed Earl Warenne captain of the men-at-arms going to Aquitaine. (*Ibid.*)

<sup>3</sup> *Cal. Pat. Rolls*, 1324-1327, pp. 97, 98.

<sup>4</sup> *Ibid.*, p. 121.

<sup>5</sup> *Archæologia*, xxxvi., p. 242.

should do homage. Prince Edward arrived in Paris on September 22, and did homage on the 24th. The Queen remained in France, and it appears that Joan, Earl Warenne's wife, and Lady Beauchamp were much with her. She detained the Prince in France, against the express orders of King Edward. On October 14 the King wrote to her under the Secret Seal, and also to the Countess Joan; and under the Privy Seal to the Prince, and to the King of France.<sup>1</sup>

FRESH SURRENDER OF ESTATES TO THE KING  
AND REGRANT.

But to return to the Earl Warenne and his possessions. A fresh rearrangement was now made. The Yorkshire castles and estates were still in the King's hands through the attainder of Thomas, Earl of Lancaster. The castles, &c., in Wales had also been taken over for the same reason; but they had at once been regranted to Earl Warenne. The castles and estates in Surrey and Sussex remained under the previous settlement of 1316. Maud de Neirford and her sons appear to have lost favour with the earl. Anyhow, a serious rearrangement was made, which entirely altered the disposition of the estates.

Now that the Yorkshire estates were in the hands of the King through the forfeiture of the Earl of Lancaster, opportunity was taken to deprive Maud de Neirford and her sons of succession, and of settling all but the Yorkshire estates on Earl Warenne's sister, who had married Edmund, Earl of Arundel, and her son; leaving Maud interested only in the manor of Hatfield. Her sons would be nearing man's estate, and they were got rid of and provided for by entering them in the Order of S. John of Jerusalem in London. To effect this transfer Earl Warenne again surrendered his estates to the King, to receive another grant of them.

John de Warenne, Earl of Surrey, grants to the King all his castles, manors, &c., in the county of York :—

May 7, 1326. For the King. To all who hear or see the present letters, I, John de Warenne, Earl of Surrey, wish eternal health in the Lord. Know ye that I have granted and remitted and quitclaimed for me and my heirs, to the most excellent Prince and Lord, my most dear Lord Edward, D.G., the illustrious King of England, all the right and claim which I have or may have in the castles, manors, vills, lands and tenements, with knights' fees, advowsons, reversions, franchises, and all other their belongings whatever, which I have had formerly in the county of York, and also in the manors and vills of

<sup>1</sup> October 18. The King asked Earl Warenne and three others to continue to hold their offices in Gascony. (*Synopsis Rymer's Fœdera.*)



Staunford and Grantham, with all their appurtenances, in the county of Lincoln, viz.: in demesnes, services in the said counties without any reserve, to be had and to be held to the Lord the King and his heirs perpetually, so that neither I nor my heirs shall be able to sell or to hold in any manner any right or claim concerning anything in the castles, manors, &c., or their appurtenances. And I, the said John, and my heirs will guarantee perpetually all the aforesaid castles, &c., in the counties aforesaid to the said Lord the King and his heirs. In witness of which I have placed my seal to this writing, &c. Given at Westminster 7th day of May in the 19th year of the reign of the said King, the son of King Edward.

Mem. That the said earl came into the Chancery of the King at Westminster on the above day and year, and acknowledged the aforesaid writing and all its contents in the aforesaid manner.<sup>1</sup>

1326. May 14. Know, &c., that I, Joh. de Warennæ, Earl of Surrey, have granted, &c., to Lord Edward, D.G., the illustrious King of England, the castle, &c., of Reygate, and my manors of Dorkyng and Becheworth, with their appurtenances, in the county of Surrey, . . . . . in Wales, &c. Given at Westminster 14 day of May, 19 Edw. II., 1326.<sup>2</sup>

1326. May 17. Marlborough. 19 Edw. II. Memb. 8. Grant for life to John Warennæ, Earl of Surrey, in consideration of his quitclaim to the King of his castles, manors, &c., in the county of York: Of his manors and towns of Staunford and Grantham, co. Lincoln, to wit:—Whatever he had in demesnes, lordships and services in these counties: and by way of acting graciously towards him, of the castles, towns and manors of Conyngesburgh and Sandale, and the manors of Wakefeld, Souresby, Braithewell, Fissshelak, Dewesbury and Halifax, and all other lands late of the earl in the county of York, before they came to the King's hands: *except the manors of Thorne and Haitfeld*: to hold for life, with knights' fees, reversions, advowsons, homages and other services of free tenants, villeins, with their villeinages, chattels and issues, fairs, markets, warrens, chaces, parks, woods, stews, stanks, marshes, fisheries, feedings, pastures, wapentakes, liberties, and other appurtenances, in the same manner as before they came to the King's hand, with reversion to the King. By K. and p.s.<sup>3</sup>

1326. May 27. Maidstone. Memb. 8. Schedule. Mandate to Rich. de Mosele, King's clerk, to deliver the said castles, towns, manors, and lands, which are in his custody, to the earl. By K. and p.s.

Writ *de intendendo* to the tenants. By K. and the same writ.<sup>4</sup>

<sup>1</sup> *Close Rolls*, 19 Edw. II., memb. *dorso*.  
(Mr. S. J. Chadwick.)

<sup>2</sup> *Ibid.*, memb. 3 *dorso*.

<sup>3</sup> *Cal. Pat. Rolls*, 1324-1327, p. 270.

<sup>4</sup> *Ibid.*

May 17, 1326. Marlborough. Whereas the King by charter granted to John de Warennæ, Earl of Surrey, his kinsman, the castle and town of Reygate; and the manors of Dorkyng and Bechesworth, co. Surrey; the castle and town of Lewes, and the manors of Cokefeld, Cleiton, Dichening, Mechyng, Peccham, Brightelmeston, Rottingden, Houndeden, Northese, Radmeld, Kimer, Middelton, Alington, Worth, and Picombe; and the towns of Iford, Pidinghowe, and Seford, co. Sussex; and all other manors, hamlets, and lands in those counties; and the castles of Dinarsbran and Holt, the lands of Bromfeld, Yal, and Wrightesham, in Wales, which the earl had quitclaimed to the King by charter; to hold to the earl according to a certain form contained in the said charter; *And whereas* the earl has now quitclaimed the premises to the King, to wit:—whatever he had in the said counties of Wales in demesnes, lordships, and services, with knights' fees, reversions, advowsons, regalities, homages and other services of free tenants, &c., although by the earl's charter the reversion of the premises would in any case belong to the King; the King wishing to act graciously towards the earl, and in consideration of the earl's quitclaim and warranty to the King, of all his castles, towns, manors and lands in the counties of York and Lincolnshire, has granted to the earl, and Joan his wife, all the said premises in the counties of Surrey and Sussex and in Wales, to hold to them and the heirs male of his body, with knights' fees, advowsons, regalities, &c., to hold by the same services as were due before the said quitclaims; with remainder to Edmund, Earl of Arundel, and Alesia his wife, and Richard son of the same earl, and Isabel his wife, and the heirs of their bodies, with remainder to the right heirs of the said Earl of Surrey; notwithstanding that the reversion of the premises might belong to the King as aforesaid.

But the King is not willing, nor does he intend that by the said grant he or his heirs shall be bound to warranty of the premises, or be held to make any value of them, or any part thereof to any person. By K. and by p.s.

May 26. Maidstone. Appointment of Robert de Eseden to receive in the King's name seisin of the premises in the counties of Surrey and Sussex. By K., and by the same writ.<sup>1</sup>

May 27. Maidstone. Memb. 6. Mandate to the said Robt. de Eseden to deliver the same to the said earl and Joan his wife, with the armour, victuals, and goods in the said castles, and the issues received by him, and with the knights' fees, advowsons, regalities, &c. By K. and by p.s.<sup>2</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1324–1327, pp. 271, 272.

<sup>2</sup> *Ibid.*

May 26. Maidstone. Appointment of Alex. de Chavyngton to receive seisin in the King's name of the castles of Dynasebran and Holt, and of the lands of Bromfeld, Yal, and Wrightesham in Wales, with knights' fees, &c., granted to the King as above. By K. and by p.s.

May 27. Maidstone. Mandate to the same to deliver those to the earl and Joan his wife. By K. and by same writ.

Writ *de intendendo* to tenants. By K. and by same writ.<sup>1</sup>

Edmund, Earl of Arundel, guaranteed the estates against any claim that might be raised in the interest of Maud or her sons.

1326. 19 May. Universis presentes literas inspecturis vel audituris re Edmundus Comes Arundell salutem. Noverit universitas vestra quod cum excellentissimus Princeps et dominus meus carissimus dominus Edwardus Dei Gratia Rex Anglie illustris per literas suas patentes dederit et concesserit nobili viro domino Johanni de Warennia comiti Surrie castra et villas de Conyngesburgh et Sandale et maneria de Wakefelde, Soureby, Braithewell, Fissshelake, Dewesbury, et Halifax cum pertinentiis suis in comitatu Ebor habenda et tenenda eidem Johanni ad totam vitam suam cum feodis militum, advocacionibus ecclesiarum, Abbaciarum, Prioratuum, et aliarum domorum religiosarum homagiis et aliis serviciis libere tenencium villanis cum eorum villenagiis et sequelis Warennis, chaceis, parcis, boscis, vivariis, stagnis, mariscis, piscariis, pascuis, pasturis libertatibus et aliis quibuscumque ad predicta castra, villas, et maneria qualitercumque spectantibus ita quod post mortem dicti Johannis comitis Surrie predicta castra, villa, et maneria cum pertinenciis suis predictis ad predictum Regem et heredes suos integre revertantur quiete de heredibus predicti Johannis comitis Surrie imperpetuum ac pro eo quod dicitur quod quedam Matillda de Neyrford clamat tenere predicta castra, villas, et maneria cum pertinenciis suis predictis ad terminum vite sue post mortem predicti Johannis comitis Surrie si ipsa dictum Johannem comitem Surrie supervixerit ego predictus Edmundus Comes Arundell ad instantiam predicti comitis Surrie cujus sororem duxi in uxorem volens et affectans indemnitati dicti domini Regis prospicere et ipsum dominum Regem et heredes suos ab omni dampno et jactura que eidem domino Regi seu heredibus suis occasione clamii predictae Matillde super dictis castris, villis, et maneriis cum pertinenciis suis predictis recuperandis qualitercumque contingere poterunt indemnes conservare, Concedo pro me et heredibus meis, et obligo me et heredes meos quod si predicta Matillda post mortem predicti comitis

<sup>1</sup> *Cal. Pat. Rolls*, 1324-1327, pp. 271, 272.

Surrie predicta castra, villas et maneria cum pertinenciis suis predictis vel partem eorundem versus predictum dominum Regem me heredibus meis plene etate existentibus prius inde legitime premunitis recuperare contigerit quod dictus dominus Rex seu heredes sui habeant de terris et tenementis meis ad valenciam predictorum castrorum, villarum, et maneriorum, cum pertinenciis suis predictis sic per ipsam Matilldam recuperatorum secundum verum valorem et rationabilem extentam eorundem tota vita predictae Matillde vel reddicionem suam ad manus dicti domini Regis seu heredum suorum redierint seu revertantur. Et si forsitan contigerit quod predicta Matillda post mortem meam predicta castra, villas, et maneria cum pertinenciis suis predictis recuperaverit herede meo infra etatem existente, volo et concedo pro me et heredibus meis quod liceat ipsi domino Regi et heredibus suis postquam aliquis heredum meorum ad legitimam etatem suam pervenerit tenere et retinere in manu sua de terris et tenementis heredis seu heredum meorum predictorum ad valenciam predictorum castrorum, villarum, et maneriorum cum pertinenciis suis predictis tota vita predictae Matillde vel quousque predicta castra villae et maneria cum pertinenciis suis predictis ad manus predicti Regis vel heredum suorum per mortem vel reddicionem predictae Matilldae redierint vel revertantur sicut predictum est. Et volo et concedo pro me et heredibus meis quod super premissis quo ad valenciam de terris et tenementis meis domino Regi seu heredibus suis in hac parte faciendam nullus processus placeti teneatur set quod ista convencionem in cancellaria dicti domini Regis recognita et recordata factisque hinc inde extensis ad mandatum dicti domini Regis seu heredum suorum in presencia mea vel heredum meorum ad hoc premuniendorum liceat prefato domino Regi et heredibus suis de terris et tenementis meis vel heredum meorum ad valenciam predictorum castrorum, villarum, et maneriorum cum pertinenciis suis predictis seisis et retinere habendis et tenendis eidem domino Regi et heredibus suis in forma predicta. Ad quam quidem convencionem tenendam obligo me et heredes meos et omnia bona mea et catalla terras et tenementa ad quorum cumque manus contigerit ea devenire. In cujus rei testimonium huic scripto sigillum meum apposui. Hiis testibus venerabilibus patribus domino Willielmo Archiepiscopo Ebor. Anglie Primate : Domino Willielmo Exon. Episcopo : Dominis Galfrido le Scrope : Waltero de Norwyco : Johanne de Stonore militibus : Domino Henrico de Stanton : Magistro Henrico de Clyffe clericis et aliis. Datum apud Westmonasterium decimo nono die Maij. Anno regni dicti domini Regis filii Regis Edwardi decimo nono.

Et memorandum quod predictus comes venit in Cancellaria Regis apud Westmonasterium die et anno supradictis et recognovit scriptum predictum et omnia contenta in eodem in forma predicta.<sup>1</sup>

pro Johanni de Warennā, comiti Surrie. (May 29, 1326.) Rex dilecto clerico suo Ricardo de Mosele nuper custodi castrorum, villarum, et maneriorum de Conyngesburghe et Sandale et maneriorum de Wakefelde, Souresby, Braithewell, Fisshelake, Dewesbury, et Halifax in comitatu Ebor. salutem: Cum pro concessione, remissione, quietā clamancia et warantia quas dilectus consanguineus et fidelis noster Johannes de Warennā Comes Surrie per scriptum suum pro se et heredibus suis fecit nobis et heredibus nostris de castris, villis, et maneriis predictis cum pertinentiis necnon de maneriis et villis de Staunforde et Grantham cum pertinentiis suis in comitatu Lincoln dederimus et concesserimus pro nobis et heredibus nostris prefato comiti predicta castra etc. in dicto comitatu Ebor, habenda et tenenda eidem comiti ad totam vitam suam prout in literis nostris patentibus sibi inde confectis plenius continetur. Nos pro eo quod septimo die Maii proximo preterito dedimus et concessimus eidem comiti predicta castra etc. in dicto comitatu Ebor sic tenenda ad terminum vite sue quamquam idem comes literas nostras patentes tunc inde nullatenus habuisset volentes cum eodem agere graciose dedimus ei omnes firmas redditus et exitus castrorum etc. in dicto comitatu Ebor a predicto septimo die qualitercumque perceptos. Et ideo vobis mandamus quod eidem comiti vel eius in hac parte attornatis seu attornato firmas redditus et exitus predictos liberatis, volumus enim vos inde erga nos exonerari, volumus insuper quod si prefatus comes victualia nostra in castris predictis existencia emere voluerit hinc ipsum comitem victualia predicta pro tanto precio quantum alii dare voluerint pro eisdem habere permittatis recepto prius ab eodem comite precio supradicto. Ita quod nobis inde respondere valeatis. Teste Rege apud cantuariam vicesimo nono die Maii per ipsum Regem et per breve de privato sigillo.<sup>2</sup>

Pro Johanne de Warennā, comite Surrie. Rex dilecto clerico suo Ricardo de Mosele nuper custodi castrorum, villarum, et maneriorum de Conyngesburghe et Sandale et maneriorum de Wakefelde, Souresby, Braithewell, Fisshelake, Dewesbury et Halifax in comitatu Ebor, salutem. Cum pro concessione, remissione quietā clamancia et warantia quas dilectus consanguineus et fidelis noster Johannes de Warennā Comes Surrie per scriptum suum pro se et heredibus suis fecit nobis et heredibus nostris de castris, villis, et

<sup>1</sup> Transcript. (Mr. S. J. Chadwick.)

<sup>2</sup> *Close Rolls*, 19 Edw. II. Transcript. (Mr. S. J. Chadwick.)

maneriis predictis cum pertinentiis necnon de maneriis et villis de Staunforde et Grantham cum pertinentiis suis in comitatu Lincoln dederimus, et concesserimus pro nobis et heredibus nostris prefato comiti predicta castra, villas, et maneria in dicto comitatu Ebor, habenda et tenenda eidem comiti ad totam vitam suam prout in literis nostris patentibus sibi inde confectis plenius continetur. Nos pro eo quod septimo die Maij proximo preterito dedimus et concessimus eidem comiti predicta castra, villas et maneria in dicto comitatu Ebor sic tenenda ad terminum vite sue quamquam idem comes literas nostras patentes tunc ille nullatenus habuisset volentes cum eodem agere gracie dedimus ei omnes firmas redditus et exitus castrorum villarum et maneriorum predictorum in dicto comitatu Ebor a predicto septimo die qualitercumque perceptos, Et ideo vobis mandamus quod eidem comiti vel eius in hac parte attornatis seu attornato firmas redditus et exitus predictos liberatis volumus enim vos inde erga nos exonorare volumus insuper quod si prefatus comes victualia nostra in castris predictis existencia emere voluerit tunc ipsum comitem victualia predicta pro tanto precis quantum alij dare voluerint pro eisdem habere permittatis recepto prius ab eodem comite precis supradicto. Ita quod nobis inde respondere valeatis. Teste Rege apud Cantuariam vicesimo nono die Maij, per ipsum Regem et per breve de privato sigillo.<sup>1</sup>

THE KING AND QUEEN, AND EARL WARRENNE AND  
HIS COUNTESS JOAN.

In the July following (1326) Earl Warrenne was again in the North of England for the defence of the country. On July 23 the King at Westminster appointed him captain and principal surveyor of the array in the counties of York, Northumberland, Cumberland, Westmorland, and Lancaster, by the counsel and advice of William, Archbishop of York, Simon Ward, John de Wisham, and John de Felton. By K.<sup>2</sup> And on August 2, at Porchester, he issued a mandate to Henry de Percy to repair to his castle of Alnewyk, in pursuance of the ordinance of the prelates, earls, and barons assembled at Westminster; that the Earl of Surrey should be captain of the men-at-arms, mounted and on foot, in the counties of York, &c., as above; and the Earls of Winchester, Leicester, and Arundel should be captains in the other counties towards the North; and that magnates having castles and fortresses in those parts should stay there for the defence of those parts. By K.<sup>3</sup>

The reign of Edward II. was now drawing to a close. The Queen was still away at the French Court, in opposition to the direct

<sup>1</sup> *Close Rolls*, memb. 4. 1326. Transcript. (Mr. S. J. Chadwick.)

<sup>2</sup> *Cal. Pat. Rolls*, 1324-1327, p. 302.

<sup>3</sup> *Ibid.*, p. 303.

order of King Edward to return. The King of France and the Prince of Hainault encouraged her; and the latter raised a small army for her to invade England. She landed with her army at the mouth of the river Orwell on September 27. Prince Edward and Joan de Bar were both with her at this time. The Queen made a triumphant march to the West of England, and then returned to Westminster. Meanwhile on September 29 the Pope wrote from Avignon to the Archbishop of Canterbury, Hugh de Engolisma, the Papal Nuncio, and to Earl Warëne and others, to assist the Archbishop of Vienne, the Bishop of Orange, and John de Grandison, Papal Nuncios, ordered to appear before the Kings of France and England and Queen Isabella, and take such steps as shall be expedient to promote peace between the said Kings, and to remove the discord that had arisen between the King and Queen of England. He at the same time granted faculties to them to dissolve pacts and confederations and annul oaths, which might hinder the success of the said mission.<sup>1</sup>

By December, 1326, Edmund, Earl of Arundell, had been attainted and executed. On December 8 the King at Kenilworth accepted an appointment, made while his son, Prince Edward, was guardian of the kingdom, of John de Warenne, Earl of Surrey, to the custody of the lands, late of Edmund, Earl of Arundel, in the Isle of Axeholme, co. Lincoln, he rendering yearly the extent thereof, and saving to the King knights' fees and advowsons of churches. Also a writ *de intendendo* was issued to the tenants.<sup>2</sup> And on December 10, also at Kenilworth, he granted to Joan, Countess of Warenne, the crops, horses, oxen, and other animals, and all other goods late belonging to Edmund, Earl of Arundel, in the Isle of Axeholme, co. Lincoln, which are forfeited to the King.<sup>3</sup>

#### KING EDWARD III.

King Edward II. was in prison, and his son was declared regent by his party, but the country was really being ruled by Queen Isabella and her favourite, Roger Mortimer. The first regnal year of Edward III. commences January 1, 1327.

1327. 1 Edward III. On February 17 at Westminster a grant was made to Joan, Countess of Surrey, the King's kinswoman, in recompense of her expenses and the labours which she endured in

<sup>1</sup> *Cal. Papal Registers, Papal Letters*, ii., p. 481. The Pope seems to have been sincerely desirous for peace. At the same time that he issued the foregoing, he also wrote to the Archbishop of Sens and his bishops, and other archbishops and bishops in France and England, asking

their prayers for the success of the expedition of the Papal Nuncios, and at the same time granting indulgences of 20 days for the offering of such prayers.

<sup>2</sup> *Cal. Pat. Rolls*, 1324-1327, p. 337.

<sup>3</sup> *Ibid.*

attendance on Queen Isabella in England and in parts beyond seas; to have for life, if she survive her husband, the manors of Troubrigg, Wynterbourne, and Aumbresbury, co. Wilts.: of Canford, Dorset: and of Heustrenge and Cherleton, co. Somerset, part of the lands of the Earl of Salisbury, which John de Warennæ, Earl of Surrey, holds for life. The said earl and countess are to have for life the manor of Aldeborne, co. Wilts., other part of the lands of the said Earl of Salisbury, which the said earl, tenant for life, demised to Hugh le Despencer, late Earl of Winchester, rebel, to save himself from destruction by the said Hugh, and which escheated to the King by forfeiture; as well as the foreign courts of Trowbridge, Shireneston, and Tokynton; the courts of Durle, and the foreign courts and foreign fees belonging to the said Earl of Salisbury, in right of his manors and courts aforesaid.<sup>1</sup>

In February Earl Warrenne was abroad on the King's service. On February 27 John Wisham, who was going with him, has letters nominating his attorney until Michaelmas.<sup>2</sup> Joan de Warrenne, his wife, was also going abroad in March, and on the 13th of that month a lady going in her company also has letters nominating two attorneys for the same period.<sup>3</sup>

Earl Warrenne appears to have been soon back again, for on March 29 a commission is issued to him from Westminster to supervise the proceedings of the commissioners of the peace for the county of Oxford.<sup>4</sup> And in the following month he is again going to the Marches of Scotland, and on April 23 one of his company has letters nominating an attorney until Michaelmas.<sup>5</sup>

The King had granted to John de Warrenne and Joan his wife the manor of Aldbourne, co. Wilts.; forgetting this, he had afterwards granted it in dower to Queen Isabella. He now, on June 1, 1327, wished the first grant to remain in force, and makes other provision for Queen Isabella in lieu of it. The manor of Aldbourne was said to be worth £86 per annum.<sup>6</sup>

Earl Warrenne was trusted with public business of many kinds. On July 16 he was associated with J., Bishop of Chichester, S., Bishop of London, Henry, Earl of Lancaster, and others, in reference to the forced sales and fines after the exile of the Despençers.<sup>7</sup> On September 1 the towns of Staunford and Grantham were again granted to him for life, with knights' fees, advowsons, &c. By p.s.<sup>8</sup> In 1329 (February 8), at his request, the men of the town of Staun-

<sup>1</sup> *Cal. Pat. Rolls*, 1327-1330, p. 21.

<sup>2</sup> *Ibid.*, p. 24.

<sup>3</sup> *Ibid.*, p. 42.

<sup>4</sup> *Ibid.*, p. 90.

<sup>5</sup> *Cal. Pat. Rolls*, 1327-1330, p. 70.

<sup>6</sup> *Ibid.*, p. 199.

<sup>7</sup> *Ibid.*, p. 153.

<sup>8</sup> *Ibid.*, p. 160.



ford were granted murrage for six years,<sup>1</sup> proving it to have been walled.

In November Warenne was again engaged on business of vital importance to the country. On the 23rd of that month power was granted to the Archbishop of York, H., Bishop of Lincoln, John de Warenne, Earl of Surrey, and ten others, to treat with the Scots; power also to treat for a truce, and to grant safe conduct to the Scottish Ambassadors.<sup>2</sup>

In 1328 there is not much to record concerning Earl Warenne. On May 16, at Northampton, the King granted to John de Warenne, in fee simple, two messuages and the advowson of the church of S. Martin, Otrewycke, &c., now held by him for life, by demise of Hugh le Despencer, sen., whose possessions are forfeited to the King. By p.s.<sup>3</sup> And in November grant in fee simple to John de Warenne, upon his petition for indemnity for entering upon various manors, and the advowson of the priory of Weng, all which were forfeited to the (late) King by Edmund, late Earl of Arundel.<sup>4</sup> The King confirmed to John de Warenn, Earl of Surrey, in fee, the manors of Wenge and Blakewell in co. Bucks., and the manor of Alta Rothynge, Wolfhampton, Ovesham, Ginge Margaret, and Pretywell in co. Essex, and the advowson of the priory of Wenge in co. Bucks. for service due.<sup>5</sup> Warenne is again appealed to by the Pope for his good offices; this time, along with the Archbishop of Canterbury and others, in favour of Itherius de Conquereto, who now succeeded Hugh de Engolisma as Nuncio.<sup>6</sup>

The King was indebted to John de Warenne in 500 marks, and he arranges for payment of the same.<sup>7</sup> In this year the castles of Conyngesburgh and Sandal, and various manors, were held by Henry, Earl of Lancaster, as security for 2,000 marks until John, Earl of Warenne, should fortify an instrument with sufficient men. A deed of release was then executed by the Earl of Lancaster, to be held in neutral hands until the Earl of Lancaster was satisfied. In the year 1334, on September 21, the Earl of Lancaster having been satisfied, the deed of release was handed to Earl Warenne by John de S. Paulo, clerk, executor of Henry de Clyf, who had held it, in the hotel of William, Archbishop of York, near Westminster, where Earl Warenne was then staying.<sup>8</sup>

In 1329, on March 28, Pope John XXII. granted Earl Warenne an indult (faculty) to have a portable altar<sup>9</sup>; also to have mass

<sup>1</sup> *Cal. Pat. Rolls*, 1327-1330, p. 361.

<sup>2</sup> Synopsis of Rymer's *Fœdera*.

<sup>3</sup> *Cal. Pat. Rolls*, 1327-1330.

<sup>4</sup> *Ibid.*, p. 336.

<sup>5</sup> *Cal. Rot. Pat.*, in *turri Lon.*, p. 103b, m. 12.

<sup>6</sup> *Cal. Papal Letters*, ii., p. 489.

<sup>7</sup> *Cal. Pat. Rolls*, 1327-1330, p. 342.

<sup>8</sup> *Cal. Close Rolls*, p. 344.

<sup>9</sup> On 'portable altars,' see *Journal of British Archaeological Association.*, 1897, pp. 54-62.

celebrated before daybreak; also to have divine offices celebrated privately in places under interdict; also that his confessor may from time to time dispense him from fasting; also that his confessor shall give him plenary remission at the hour of death.<sup>1</sup> On May 12, at Eltham, the King granted licence to Ralph Bassett, of Drayton, to grant to John de Warenne, by the rent of a rose at midsummer, the manor of Gretwell, said to be held of the King as of the honour of Tykhull, now in the hands of Queen Isabella.<sup>2</sup> On September 16, at Gloucester, the King granted to Earl Warenne the sum of 2,000 marks, as a gift at the Exchequer out of the first profits of wardships, marriages, and escheats.<sup>3</sup>

1330. May 5. Woodstock. Grant for life to John de Warenne, Earl of Surrey, in consideration of his agreement to stay always with the King, of the manor of Swanescom, co. Kent; of £30 of the farm of the shrievalty of Kent; of £36 of the farm of Chichester; and of £8 of the farm of Idene, co. Sussex; of £11 12s. of the farm of the town of Sublynghan, co. Essex; of £66 19s. 8d. of the farm of the city of Lincoln; and of £80 15s. of the farm of Basingstoke, co. Southampton; also escheats from the Earl of Kent.

Mandate to escheator, and writs *de intend.* to bailiffs.<sup>4</sup>

Similar grants for the same consideration to Barth. de Burghersh, Robert de Ufford, Hugh de Turpynton, Edward de Bohun, John Mautravers, and others.<sup>5</sup>

Shortly after this, on June 1, 1330, the King at Woodstock made a grant to Earl Warenne, to whom he had lately granted, during minority of the heir, the custody of two parts of the possessions of Thos. Bardolf, tenant-in-chief, at a yearly rent of 300 marks; that he shall hold the same without payment of the said rent in part satisfaction of a gift of 2,000 marks out of the profits of wardships and escheats, as they fall in, lately made to him by the King. By p.s.<sup>6</sup>

In 1330 the King's uncle, Edmund, Earl of Kent, having fallen into a trap set by Roger Mortimer for the restoration of King Edward II., whom he represented was still alive, was executed and

<sup>1</sup> *Cal. Papal Letters*, ii., p. 280.

<sup>2</sup> *Cal. Pat. Rolls*, 1327-1330, p. 387.

<sup>3</sup> *Ibid.*, p. 441.

<sup>4</sup> In reference to this agreement, it is noticeable that Earl Warenne on one side of a seal he used during the reign of Edward III., calls himself John, Earl of Warenne and Stratherne, "et Comes Palacii." Watson, in his *Memoirs of the Ancient Earls of Warenne and Surrey*, vol. ii., pp. 41-43, has some observations on the probable

meaning of the words, 'Comes Palacii.' M. Paris, in his account of the marriage of Henry III. in 1236, says that the Earl of Chester bore the sword of S. Edward, called 'Curtein,' *in signum quod comes est Palatii*, and had by right the power of restraining the King if he should commit an error. Was there any connection between 'Comes Palacii' and the above agreement?

<sup>5</sup> *Cal. Pat. Rolls*, 1327-1330, pp. 516, 517.

<sup>6</sup> *Ibid.*, p. 530.

attainted. The King granted to Earl Warenne for life in 1331 divers castles, manors, lands and tenements, which belonged to the same Edmund, Earl of Kent.<sup>1</sup> On January 11 pavage for three years was granted, at the request of Earl Warenne, to the bailiffs and good men of the town of Wakefeld. By pet. of C.<sup>2</sup> On February 16 he was appointed, with others, on a commission of O. and T., on complaint of the Abbot of Bynedon, in reference to an assault on the abbey, and robbery.<sup>3</sup> The Despencers in the late reign had used their power and position to obtain unfairly various properties in different parts of the kingdom. Under date February 17, 1327, mention was made that the Earl of Salisbury had demised the manor of Aldbourne to Hugh le Despencer, Earl of Winchester, for this reason. Earl Warenne was now (on February 18, 1331) appointed, with the Bishops of Worcester and London and others, pursuant to the statute, 1 Edw. III., stat. i. cap. 3, to annul a deed whereby John de Brumpton in the time of the late King enfeoffed Hugh le Despencer, junior, of a messuage and a carucate of land in Shipton, with the advowson of the church there, if it should be found that the same was procured by force and duress. By pet. of C.<sup>4</sup>

What exactly was the position of Earl Warenne towards his wife Joan at this time is not altogether clear, but it appears that he was at least friendly disposed towards her, for on May 31, 1331, at his castle of Lewes, he executed a charter confirmatory of grants to the priory, and he gives as his object in doing so, 'for his own soul and that of the Countess, Joan de Bar, his consort'; and among the seals attached are those of 'the Lady Joanna de Barr, Countess of Warenne,' William, her chaplain, Richard Russell, who wrote the charter and saw all the seals attached. They both therefore were present in the chapter house at the time.<sup>5</sup>

This is a very different state of things from what existed in 1315, when the divorce was on the *tapis*. Then he confirmed his and his ancestors' donations to the priory of Thetford for his own and his ancestors' and his heirs' souls, and also for that of Matilda de Nereford and *our children's* souls,<sup>6</sup> without any mention of Joan de Bar.

The Countess Joan de Bar had already been granted certain Church privileges, a portable altar, &c., by the Pope. He now at Avignon, on July 20, 1331, granted to her an indult, that her confessor shall give her plenary remission at the hour of death; but if on this account she sins, this indult shall not hold good.<sup>7</sup> The

<sup>1</sup> *Cal. Rot. Pat., in turri Lon.*, p. 107b, m. 25.

<sup>2</sup> *Cal. Pat. Rolls*, 1330-1334, p. 39.

<sup>3</sup> *Ibid.*, p. 131.

<sup>4</sup> *Ibid.*, p. 132.

<sup>5</sup> *MS. Chartulary of Lewes Priory*, quoted in *Sussex Archaeological Collections*, vi., p. 126.

<sup>6</sup> *Monasticon Anglicanum*, Dugdale, 1st edit., ii., p. 575.

<sup>7</sup> *Cal. Papal Letters*, ii., p. 341.

condition was the usual one. On October 9 the earl obtained licence from the King to alienate in mortmain to the prior and canons of Thetford the advowson of the church of Gersham, held in chief, and for the appropriation of the church by them. By K.<sup>1</sup>

On March 24 the King granted licence to Peter de Malo Lacu the fourth, to grant for life to John de Warenne, Earl of Surrey, the King's kinsman, the manor and town of Doncaster; and the advowson of the church of Rosyngton, said to be held in chief; with remainder to Peter de Malo Lacu the fifth and Margaret his wife, in fee tail; and if they die without heir of their bodies, to the right heirs of Peter the fourth. By K.<sup>2</sup>

In 1333, on February 3, at York, the King wrote to the abbot of S. Mary's Abbey, York, receiver of the 10th and 15th granted to the King, an order to pay, among others, to John de Warenne, Earl of Surrey, 200 marks, by the King's gift.<sup>3</sup> And on March 4 the earl is again associated on a commission, with the Bishop of Carlisle and others, to hear complaint that certain fines were levied by force and duress, and to annul the same.<sup>4</sup> And on the 7th of March the King granted to him as a special grace, in return for long service to the King's progenitors and the King, that after his death his executors shall have free administration of his goods, to dispose thereof according to his last will.<sup>5</sup>

At this time a great expedition against Scotland was on hand. On March 21, the King being at Pontefract, an order was issued to the earl to be with the King at Newcastle-on-Tyne on Trinity next, with as many men, horses, and arms as he can, to set out with him against the Scots.<sup>6</sup> And on March 30, the King being at Aberford, an order was issued to the earl to cause 300, both archers and others, to be elected from the men in his lands of Bromfeld and Val, and to be provided with proper arms; and to cause these men, so elected, armed, and well arrayed, to be brought to the King at Newcastle-upon-Tyne at the King's wages; to be there a month after Easter next, to set out ultimately with the King against the Scots, who have invaded the kingdom; and the King has ordered the Chamberlain of North Wales to pay the leaders of the said men, appointed by the earl for this purpose, the wages for themselves and the said men from the issues of chamber until they are at the said place. By K.<sup>7</sup> At the same place and time, order to the Chamberlain to pay the said wages.<sup>8</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1330-1334, p. 177.

<sup>2</sup> *Ibid.*, p. 262.

<sup>3</sup> *Cal. Close Rolls*, 1333-1337, p. 7.

<sup>4</sup> *Cal. Pat. Rolls*, 1330-1334, p. 440.

<sup>5</sup> *Cal. Pat. Rolls*, 1330-1334, p. 414.

<sup>6</sup> *Cal. Close Rolls*, 1333-1337, p. 99.

<sup>7</sup> (*Fodera*.) *Ibid.*, p. 26.

<sup>8</sup> *Ibid.*, p. 27.

The King was evidently very conscious of his obligation to the earl, for on May 11, at Tweedmouth, he wrote to the Treasurer and Barons of the Exchequer, an order to permit him to have respite until the quinzaine of Martinmas next, for all the debts which he owes the King at the Exchequer. By p.s.<sup>1</sup> And a little later, on July 28, at Berwick-on-Tweed, he granted him a pardon in consideration of his service to himself, and especially of his great charges in the siege of Berwick and the war of Scotland, of all debts required of him by summons of the Exchequer. By p.s.<sup>2</sup> During this campaign, which was a great success, Berwick was besieged, and fell to the English, and the Scottish army was completely routed and destroyed at Hallidon Hill. It was indeed said that there was an end of the war with Scotland, as there were no leaders left.

As might be expected, while the King was away with his army in Scotland, disaffected and turbulent men took advantage of his absence to commit outrages. This appears to have been specially the case on the Welsh Borders, about the earl's estates of Bromfeld and Yal, and this is probably the reason why on every occasion when men were wanted for war, special mention is made of drafts from those parts. On June 11, the King being at Tweedmouth, he found it necessary to issue the following:—

To John de Warenne, Earl of Surrey, lord of the lands of Bromfeld and Yal, or his steward there; Order to cause proclamation to be made in the lands of his lordship, that no one, under pain of forfeiture, shall make such gatherings of malefactors or armed force, or anything to disturb the King's peace, or to terrify his people: and if any one shall do so after such proclamation has been made, to take them and cause them to be guarded in prison until the King orders otherwise: so that the King may not have cause to complain of his negligence or default: as the King has learned that after he had set out on his journey to the march of Scotland with his army for the defense of his kingdom, several malefactors and disturbers of the peace made illicit gatherings and meetings in divers places, in fairs, markets, market towns, and other places, armed men beating, wounding, mutilating, and even killing, plundering the goods of some, and doing other damage and crimes.<sup>3</sup>

On March 30, 1332, Earl Warenne, being then at Lewes Castle, had appointed William de Scargill chief forester, for life, of the chaces of Wakefeld and Sourebyshire; to have the chief custody and survey of vert and venison there; and the survey of the earl's chaces, parks,

<sup>1</sup> *Cal. Close Rolls*, 1333-1337, p. 111.

<sup>2</sup> (*Fœdera*.) *Cal. Pat. Rolls*, 1330-1334, p. 457.

<sup>3</sup> *Cal. Close Rolls*, 1333-1337, p. 120.

and warrens in Haitfeld, Thorne, and Conesburgh, and of his stews and fisheries in the county of York, with daily wages of 4*d*. Now, on July 28, at Berwick-on-Tweed, the King, on account of William de Scargill's services in the present war with Scotland, confirms the earl's appointment. By p.s.<sup>1</sup>

#### EARLDOM OF STRATHERNE.

The following important document referring to the gift to Earl Warenne of the earldom of Stratherne is dated at York, March 2, 1334:—

Malisius, Earl of Strathern, was at the battle of Halidon Hill fighting against Edward Baliol, King of Scotland. Some historians have placed him among the killed, but he does not appear to have been. Baliol gave the earldom to Earl Warenne, in recompense for his services. On March 2, 1334, Edward, King of England, wrote from York to the Earl of Buchan (Boghan) as follows: Edward, King of Scotland, granted the county of Strathern, then in the royal hand, by the forfeiture of Malisius, the late earl, a rebel, to John de Warenne, Earl of Surrey, in recompense for his expenses and labours in the war of Scotland; but now, as is said, Malisius is striving for the recovery of this county and for the revocation of his forfeiture, to be made by persons well disposed to him and suspect of the other side; and it is not right that what has been ordained by the council of the chief men should be so lightly revoked by suspect men. Wherefore, the King has written to the King of Scotland requesting him to order the said affair to be treated by the peers and other chief men of Scotland, not suspect, and the King trusts that the earl will use his best endeavours to prevent a sudden process being made before him, or before him who supplies his place.<sup>2</sup>

And at the same time and place he wrote to Edward, King of Scotland, to cause the above matter to be decided as aforesaid with proper deliberation, so that the Earl of Warenne and others in like case may not be compelled to bethink them of another remedy.<sup>3</sup>

Earl Warenne appears to have had much trouble over this grant of the earldom of Stratherne, for several years later it appears to have been still disputed.

1338. November 5. John, Earl of Warenne, Surrey, and Stratherne, lord of Bromfeld and Yal, to Robert, Bishop of London, Chancellor. Asks a protection for his clerk, Sir Ric. Doget, whom he is sending to defend his earldom of Stratherne from the enemy while he is in these parts. Done at London.<sup>4</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1330-1334, p. 458.

<sup>2</sup> (*Fædera*.) *Cal. Close Rolls*, 1333-1337, p. 301.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Chancery Files*, bundle No. 342. *Cal. Doc. relating to Scotland*, Bain, iii., p. 235, No. 1289.

In the early part of the following year (1335) the country was again troubled with disputes with Scotland and France, and on February 25 at Newcastle-on-Tyne the King summoned Earl Warenne and others to attend a Council at Nottingham on Sunday in Mid-Lent next, to treat concerning certain arduous affairs specially touching the King and the state of the realm. By K.<sup>1</sup>

#### CASTLE ACRE RESETTLED.

Earl Warenne was anxious to make a further settlement of some of his estates. On June 6, 9 Edw. III.—1335—he released to the King at York his castle and manor of Castle Acre, and this release was enrolled on June 8.<sup>2</sup> On June 7, the day after the earl's release, the King at York granted for life to the earl the said castle and manor of Castle Acre, co. Norfolk, with knights' fees, reversions, advowsons of churches, abbeys, priories, and other religious houses, and homages, and all other services of free tenants, and villains pertaining thereto, which he lately quitclaimed to the King, for him and his heirs absolutely, with remainder to Richard, Earl of Arundel, in fee. By p.s.<sup>3</sup>

The King was at this time at York. On June 9 he with Earl Warenne and others were at the house of the Friars Minors there. The Bishop of Durham delivered the Great Seal to the King, and he delivered it to J., Archbishop of Canterbury (John Stratford), whom he there appointed Chancellor.<sup>4</sup>

1335. June 26. Newcastle-on-Tyne. A question at this time arose in the King's Court concerning some property originally belonging to Earl Warenne, which has passed from him through Thomas, Earl of Lancaster, to the King. It was as follows:—In 1323, 17 Edw. II., July 9, at Faxfleet, the King granted a pardon to John de Eland for acquiring for life, without a licence, from John de Warena, Earl of Surrey, 20 marks a year of rent, receivable from certain tenants of the said earl in the towns of Soland, Fekesby, Rastryk, Hypprom, and Rineworth, then in the hands of the said Earl of Surrey, and held in chief, which towns afterwards came into the hands of Thomas, sometime Earl of Lancaster, and are now in the King's hands by the forfeiture of that earl. By fine of 10 marks. York.<sup>5</sup> And now (June 26, 1335) John de Eland seeks in the King's Court a mill, &c., in Hyperom, &c., in the manor of Sourebishire, from Earl Warenne, who sets up that he holds it for life from the King, to whom it reverts at his death, and he cannot answer there-

<sup>1</sup> *Cal. Close Rolls*, 1333-1337, p. 468.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Cal. Pat. Rolls*, 1334-1335, p. 115.

<sup>4</sup> *Cal. Close Rolls*, 1333-1337, p. 493.

<sup>5</sup> *Cal. Pat. Rolls*, 1321-1324, p. 323.

upon without the King; justice has thereby been delayed. The King orders them to proceed, but not to give judgment without consulting the King. By pet. of C.<sup>1</sup>

In consequence of the unsettled state of affairs with France in 1336, on June 4, at Woodstock, the King wrote to John de Warenne, Earl of Surrey: Order upon sight of these presents to cause his castle of Lewes to be securely guarded, and to show such diligence in the custody thereof that no harm shall happen thereto by any crafty deceit, hostile attacks, or otherwise; but that the people of those and adjacent parts may be strengthened and defended by the good custody of the castle. By K.<sup>2</sup> There was nothing unusual in this order; such orders were commonly issued under similar circumstances. And on September 7 the King, being at Perth, wrote to him that he sends Roger de Swynnerton to him upon affairs touching the safety of the realm and the repulse of the King's enemies, ordering him to give credence to what Roger shall say; and to do those things as shall seem best for the defence of the realm and the repulse of the King's enemies. By K.<sup>3</sup> On December 11, being at Bothwell, the King wrote to the earl to expound his intentions at the approaching Council in London.<sup>4</sup>

1337. March 20. Westminster. The King ordered the Sheriff of Sussex to receive from Earl Warenne two great trees which he had given to the King, in the forest of Werch, for making therewith the rods of a great engine now in the Tower as quickly as possible, and cause them to be carried to the Tower, and to be delivered to Nicholas de la Beche, the Constable of the Tower. By the King.<sup>5</sup>

1337. March 13. The King granted protection for one year for Joan, Countess of Warenne, going beyond seas, and for those of her household accompanying her, with horses, harness, and other things.<sup>6</sup> And at the same time and place he sent a mandate to William de Clynton, Earl of Huntingdon, Constable of Dover Castle and Warden of the Cinque Ports, or his lieutenant in the port of Dover, to let them pass, notwithstanding any mandate to the contrary.<sup>7</sup>

King Edward II. on 9 July, 1322, had received a grant from Alice, formerly wife of Thomas, Earl of Lancaster, that the manors of Aumbresbury, Wynterbourne, and Troubridge, co. Wilts.; Kaneford, co. Dorset; and Hengstriggs and Cherleton, co. Somerset, held for life by John de Warenne, Earl of Surrey, should remain to him—the King, his heirs, and assignees.<sup>8</sup> On March 16, 1337, at Westminster,

<sup>1</sup> *Cal. Close Rolls*, 1333-1337, p. 413.

<sup>2</sup> *Ibid.*, p. 679.

<sup>3</sup> *Ibid.*, p. 701.

<sup>4</sup> Synopsis of Rymer's *Fœdera*.

<sup>5</sup> *Cal. Close Rolls*, 1337-1339, p. 15.

<sup>6</sup> *Cal. Pat. Rolls*, 1334-1338, p. 561.

<sup>7</sup> *Ibid.*

<sup>8</sup> See p. 215.



Edward III. granted remainder of various places, including Canford, held for life by the Earl of Surrey and his wife, Joan de Bar (she had been granted tenancy of them February 17, 1327), to William de Monte Acuto, Earl of Salisbury.<sup>1</sup> The King further made an exemplification for the security of William de Monte Acuto, Earl of Salisbury, to whom the present King, by charter, has granted the said reversion in tail male.<sup>2</sup> From a grant made to the said Earl of Salisbury, from the issues of the stampage of tin in Cornwall until he receive the above remainder (dated April 24, 1337, at Windsor<sup>3</sup>) the castle of Troubridge and the above-named manors appear to have been valued at 800 marks.

Under date December 20, 1337, the following order was issued from Westminster:—John de Warenne, Earl of Surrey, has shown that although the manors and fees of Canford, Troubrugg, &c., were in his hands in the first year of King Edw. III., and he did his service for them, yet the collectors of scutage in co. Wilts., of the army in Scotland in that year, pretending that they were in the King's hands, exact scutage therefrom, and distrain on the earl therefor; whereupon he has sought the King to provide a remedy, and the Chancery Rolls for that year are not at present in Chancery, whereby the matter could be solved. Order to the said collectors to supersede the demand until Easter next, so that the King may cause the said rolls of Chancery to be inspected thereupon in the meantime, and justice to be done. By C.<sup>4</sup>

In October of this year—1337—at Westminster, licence was issued during pleasure for Mr. Walter de Lyndrige, King's clerk, dean of the King's Free Chapel (in the castle) of Hastings, to be away from his deanery in company of John de Warenne, with whom for certain causes the King has commanded him to stay.<sup>5</sup>

The following explains how the Earl Warenne presented to certain churches about this time, *e.g.* to Fishlake<sup>6</sup>:—1338. March 8. Westminster. Grant to John de Warena, Earl of Surrey, patron of the priory of Lewes, that whereas the King has taken that priory into his hands, with other religious houses of the power of the King of France, on account of the war between him and that King, and has since committed the custody thereof to the prior as a rent, saving to himself knights' fees and advowsons of churches, he—John de Warenne—shall have the said advowsons for such time as the priory remains in the King's hands. By p.s.<sup>7</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1334–1338, p. 426.

<sup>2</sup> *Ibid.*, p. 550.

<sup>3</sup> *Cal. Close Rolls*, 1337–1339, pp. 48, 49.

<sup>4</sup> *Ibid.*, p. 285.

<sup>5</sup> *Cal. Pat. Rolls*, 1334–1338, p. 544.

<sup>6</sup> See *Yorkshire Archaeological Journal*, xvii., p. 416.

<sup>7</sup> *Cal. Pat. Rolls*, 1338–1340, p. 23.

Earl Warenne about this time wished to make a grant of land to the Friars Preachers of Thetford, and after *Inquisition ad quod damnum* had been made, licence was granted to him to alienate to the prior and Friars Preachers there a plot of land 300 feet long and 30 feet broad, held in chief, for the enlargement of their dwelling place. By p.s.<sup>1</sup>

The position of the Earl of Surrey in reference to his towns of Staunford and Grantham, which he had granted to the King and received back for life, was now again somewhat altered. 1338. June 20. Walton. Mandate to John de Warenne, Earl of Surrey, tenant for life of the castle, town, and manor of Staunford, and of the manor and town of Grantham, co. Lincoln, the reversion of which, *inter alia*, the King has granted in tail male to his kinsman, William de Bohun, on his creation as Earl of Northampton, to be attendant upon the latter with respect to fealties and other services due in this behalf. By K.<sup>2</sup> And later, on April 18, 1340, at Windsor, the King sent a mandate to Earl Warenne to attorn to the said William de Bohun in the usual manner with respect to the said services due from the said castle, manors, and towns. By K. and the whole of the Parl.<sup>3</sup>

The war with France as well as the state of England itself were causing great anxiety, and Earl Warenne, as usual, was much occupied with the army. The King had ordered him to have forty men from his lands of Bromfeld and Yale at Ipswich by a certain time. The commissioners appointed to select them claimed 100 men, instead of forty. The King on April 6, 1338, at Langley, orders them to choose a number in proportion to the lands, as compared with the other lordships.<sup>4</sup>

On July 7, 1338, at Walton, the Earl of Surrey and William de Clynton, Earl of Huntingdon, were appointed overseers of the commission appointed pursuant to the statutes of Winchester and Northampton, to array the men of the counties, Southants, Berks., Wilts., Surrey, Sussex, Oxford, and Kent, to be ready to repel invasions of the French at the request or summons of the keepers of the coast.<sup>5</sup> On October 9, at Kennington, the Earl Warenne was ordered not to aggrieve the men of the town of Suthwork for not coming before him on Tuesday next, by virtue of his commission to array men in co. Surrey, as they have been enjoined by the King, and by the mayor, aldermen, and sheriffs of London, to guard that town and

<sup>1</sup> *Cal. Pat. Rolls*, 1338-1340, p. 56.

<sup>2</sup> *Ibid.*, p. 100.

<sup>3</sup> *Ibid.*, p. 460.

<sup>4</sup> *Cal. Close Rolls*, 1337-1339, p. 402.

<sup>5</sup> *Cal. Pat. Rolls*, 1338-1340, p. 134.

the banks of the Thames in those parts against invasion night and day. By C.<sup>1</sup>

Towards the end of the year the country appears to have been in a disturbed and perilous condition. On November 12, 1338, at Kensington, commission was issued to John de Warenne, Earl of Surrey, Richard, Earl of Arundel, and others, lately appointed as overseers of the commissioners appointed to array the men of the counties of Southants., Berks., Wilts., Surrey, Sussex, and Kent, to defend the realm against invasion, at the summons of the said overseers or other under-guardians of the coast; as well as on account of the disobedience and rebellion of some of the said counties, loss of life, destruction of property; and other evils have occurred at Southampton, Portsmouth, and at other places in the said counties; and that similar evils, or worse, are to be feared; and as a precaution against these, commanding them to survey the arrays, and the ports, and all the coast of the said counties; and where they find any weak point, to strengthen the defences as much as possible. They are to charge all bishops, religious, earls, barons, knights, and others, by their faith and allegiance to the King, to go with all speed, with men of their households and other retainers, to their manors, and places nearest to the sea, to avert the threatened dangers; and from time to time to return the names of such as neglect to obey them. By the keeper and C.<sup>2</sup>

At this time a serious quarrel had arisen between Earl Warenne and Ralph de Wylynton on one side, and John Lestrangle on the other; and on November 30 the following prohibition was issued from Kensington to John d'Audele, John de Warenne, and the others:—Prohibition under pain of forfeiture, to make any assemblies of men-at-arms, armed men, archers or others, by reason of the dissensions between John de Warenne, Earl of Surrey, and Ralph de Wylynton of the one part, and John Lestrangle of the other; and to do nothing against the peace; as the King has learned that, by reason of these dissensions, the earl and Ralph and James and John gather such armed men and go to the manor of Bayton, co. Wilts., to meet in warlike fashion. The King has ordered the sheriff to go to the manor, and make proclamation that no one shall make such assemblies, under pain of forfeiture; and that all who disobey this shall be detained in prison until further orders. By the keeper and C.<sup>3</sup>

The King had lately caused to be bought of Earl Warenne 200 sacks of wool. An order was issued on December 18 at Byfleet,

<sup>1</sup> *Cal. Close Rolls*, 1337–1339, p. 537.      <sup>2</sup> *Cal. Pat. Rolls*, 1338–1340, p. 150.

<sup>3</sup> *Cal. Close Rolls*, 1337–1339, p. 573.

Surrey, to him to deliver the same without delay to the merchants of the Societies of the Bardi and Peruzzi, by indenture, to do therewith as has been ordained between them and the Council, and to send part of the indenture to Chancery, if he is satisfied for the price of the wool. By C.<sup>1</sup>

The castle of Hastyngs was entered by the French, and on July 3, 1339, at Berkhamstead, a commission was issued to Earl Warrenne, who was sheriff of Surrey and Sussex, in view of this invasion of that port and castle, to take inquisition in the county of Sussex, whether, as is reported, many men holding lands and rents of the castle by ward thereof, have for some time withdrawn these services; and to compel, by distrainments and other ways, the fulfilment of all services due. By the keeper and C.<sup>2</sup> And on July 6, at the same place, William de Percy was appointed to the custody of the castle of Hastyngs, to hold it as long as the war with France last, or until the King order otherwise; with reasonable wages for himself and other men deputed for the safe custody of the castle, by advice of the King's kinsman, John de Warennæ, keeper of the coast in those parts. By the keeper and C.<sup>3</sup>

The King having taken the priory of Lewes into his hands, as before stated, on account of the war with France,<sup>4</sup> he now, on April 16, 1340, at Westminster, issued the following in reference thereto:—Whereas the King lately took into his hands, among other alien priories, the priory of Lewes, and committed the same to the custody of the prior for a certain farm; and afterwards, on the petition of his kinsman, John de Warrenne, Earl of Surrey, setting forth that the priory was founded by his ancestors; that from the time of the foundation the priors paid no tribute without the realm, save roos. yearly to the abbot of Cluny of the alms of the founders; and that when Edward II. took into his hands the alien priories, restitution was made to the prior of the lands of that priory, for causes shown before the Council; the King granted to the prior respite of all sums due for the custody until a date now past. And whereas the earl has now made petition for the removal of the King's hands from the priory, with the knights' fees, advowsons, and other appurtenances: the King, desiring to safeguard the liberties of the church and for the causes aforesaid, as well as at the renewed request of the earl, has restored to the prior the priory, with its appurtenances, and released all arrears of the said farm, as well as the contingent due to him, as well of the tenth for three years lately granted by the

<sup>1</sup> *Close, 8 Edw. III.*, m. 33 *dorso*, p. 582, No. 1119.

<sup>2</sup> *Cal. Pat. Rolls*, 1338–1340, p. 287.

<sup>3</sup> *Cal. Pat. Rolls*, 1338–1340, p. 271

<sup>4</sup> See p. 236.

clergy, as of the wool lately granted by the Parliament of Westminster. By the K.<sup>1</sup>

On May 23, 1340, at Westminster. The King granted licence for the prior and convent of Lewes to alienate in mortmain the church of Upmerdon, co. Sussex, to the prior and canons of Shelbrede; and for the appropriation of the same by the prior and canons. At the request of John de Warenne and Henry de Percy.<sup>2</sup>

At the same time and place. Licence to the prior and convent of Lewes to appropriate the church of Pecham of their own advowson. At the same request.<sup>3</sup>

1341. March 27. Shene. Testification that, whereas the King by letters patent lately granted to John de Warena, Earl of Surrey, the advowsons of churches pertaining to the alien priory of Lewes, for such time as the priory should be in his hands on account of the war with France, although he has since restored to the prior the priory, with the knights' fees, advowsons of churches, goods, and all other appurtenances, to hold, as the prior held them before they were taken into his hands, yet at the time of restitution it was, and still is, his intention, and the prior at his command certified, by letters, him in the Chancery that it is also his wish that during the war the advowsons should be with the earl, the presentations to vicarages pertaining to the priory only being reserved to the prior in the meantime. By p.s. and letter of the prior remaining in the files of the Chancery.<sup>4</sup> For securing the fulfilment of this, in the following year the King issued the following:--

1342. May 25. Westminster. Prohibition to all ecclesiastical persons from proceedings in derogation of the King's grant by letters patent to John de Warena, Earl of Surrey, of the advowsons of churches pertaining to the priory of Lewes, now in his hands by reason of the war with France, or of the earl's presentation by virtue of such grant, of Master Adam de Stratton, King's clerk, to the church of Horstedekeynes, dioc. Chichester, for effecting an exchange of the church of Devenbery.<sup>5</sup>

1342. July 15. Tower of London. Similar prohibition in reference to a presentation to the church of Clayton.<sup>6</sup>

1341. December 6. Newcastle-on-Tyne. There comes an echo of the troubles in the North. The prior and Friars Preachers of

<sup>1</sup> *Cal. Pat. Rolls*, 1338-1340, p. 505.

<sup>2</sup> *Ibid.*, p. 523. Shelbrede, a priory of Augustine canons. Founded by Ralph Ardent, knight; valued at the Dissolution, £72 15s. 10d. (*Monasticon Anglicanum*.)

<sup>3</sup> *Ibid.*

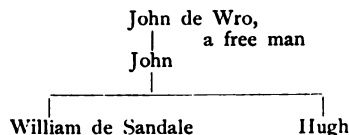
<sup>4</sup> *Cal. Pat. Rolls*, 1340-1343, p. 160. Presentation was made to Conisborough Church on October 4, 1341; to Hatfield, October 30, 1341; to Fishlake, November 14, 1345; to Kirk Sandal, April 3, 1339.

<sup>5</sup> *Ibid.*, p. 458.

<sup>6</sup> *Ibid.*, p. 543.

Newcastle-upon-Tyne have represented to the King that:—Whereas they and their predecessors have been wont to have in the past, gates on their soil for entering and closing their manse in the said town; in a contention which arose between men of the county of Northumberland and certain of the town, at the time when the Earl of Surrey, then warden of the march of Scotland, was lodged in the said manse, these gates, for no fault of theirs, were broken down; and although they, as lawful was, would have replaced their gates and set them up again, some men of the town have hitherto, with little justice, prevented them from doing so; and he, out of reverence for God, to whose service the said Friars are specially bound, continually celebrating for his good estate and the souls of his progenitors, has granted licence for them to replace their gates. By p.s.<sup>1</sup>

1342. July 10. Tower of London. An interesting enquiry comes before the King. Inspex. and confirmation of a release and quit-claim, in fee, dated at Bothemshull, 7 November, 1341, by John de Warenne, Earl of Surrey and Stratherne, lord of Bromfeld and Yale, to William de Sandale of Wakefeld, and Hugh his brother (after inquisition made, whether they were bondmen, as the earl claimed, or of free condition, by Simon de Baldreston and another, then his stewards in the parts of Wakefeld and Sandale; by the oath of his free tenants and others of those towns, whereby it was found that their grandfather, John del Wro, was a man of free condition; holding lands of him—the earl—at will; and he begat one John their father:) of all manner of challenge or action he had or could have against them by reason of bondage or villenage. By p.s.<sup>2</sup>



1342. August 25. Tower of London. Many grants of small parcels of land, usually in the wastes of the manors, had been made by the earl, and now, under the altered remainder, they had to be confirmed by the King, as his reversionary interest was affected by them. It is hardly necessary to give them all, but the following is of sufficient interest, as, in addition to the condition rendering it and them necessary, names mentioned are not without interest. Under the above date and place:—Inspeximus of letters patent of John, Earl of Warenne, Surrey, and Strathern, Lord of Bromfeld and Yale, granting

<sup>1</sup> *Cal. Pat. Rolls*, 1340–1343, p. 352.

<sup>2</sup> *Ibid.*, p. 486.

in fee to his serjeant, Henry de Kelsterne, his larderer, 20 acres of land, with the appurtenances, in his manor of Haytfeld, co. York, in a place called 'Bradeholmhull,' between his mere of Braithmere towards the east, a water called 'Countessemere' towards the west, &c., . . . . . at a rent of 6s. 8d. per annum. Witnesses, Sirs William Fraunk, Thomas de Neirford, and William de Warena, and others. Dated at his manor of Haitfeld, 27 January, 6 Edw. III.—1332. And ratification thereof, notwithstanding that, in the event of the death of the said earl without heir of his body, the reversion of the manor should come to the King.<sup>1</sup>

1342. November 12. The King orders the Earl of Warenne to come to him with his men. Similar orders to others.<sup>2</sup> And on December 20 the King desires John de Warenne, Earl of Surrey, to be ready to come to France on March 1, with 40 men-at-arms and 100 archers. Similar letters sent to others.<sup>3</sup> And on January 3, 1343, John de Warenne, Earl of Surrey, and others are ordered to send lancemen from their several lands in Wales to the King in Brittany.<sup>4</sup>

#### FURTHER QUESTION OF DIVORCE.

Earl Warenne and the Countess Joan had now—1344—been married many years, and after several changes his property had been resettled, as doubtless his relations desired. They were both getting old, but the earl, although they are said to have lived together, does not appear to have been really reconciled. He again bethought him of a divorce, and raised the question as to the validity of the marriage on the ground of near relationship. The following extract from the Papal Registers shows what happened:—

1344. Clement VI. 5 kal. March. V., by Avignon. To the Bishop of Winchester. Mandate at the request of the Queen of France and Philippa, Queen of England, to warn and compel John, Earl of Warenne, to receive and treat with marital affection his wife, Joan de Barre, whom he married by virtue of a dispensation (indult) granted by Clement V. (they being related in the fourth degree), and having lived together for thirty-two years; notwithstanding his pretence that the said dispensation was surreptitious, inasmuch as they are related respectively in the third and fourth degrees from a common stock.<sup>5</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1340–1343, p. 512.

<sup>2</sup> Synopsis of Rymer's *Fœdera*.

<sup>3</sup> *Ibid.*

<sup>4</sup> Synopsis of Rymer's *Fœdera*.

<sup>5</sup> *Cal. Papal Registers, Papal Letters*, iii., p. 116.

This declaration of the Pope as to the validity of the marriage of Earl Warenne was afterwards referred to and used as a precedent, thus:—1354. July 30. Avignon. Innocent VI. Confirmation with exemplification, at the request of Richard de Baskerville, knt., and Isabella his wife, of the dioc. Hereford, of the letters issued by Clement VI., 2 non. Junii, anno 3, ruling in the case of John, Earl of Warenne, and Joan de Barro, that dispensation of the marriage of persons related in the fourth degree of kindred shall hold good if they are related in the fourth and third degrees.<sup>1</sup> And again in 1358, at the request of Robert de Bures, knt., dioc. Norwich.<sup>2</sup>

Curiously, at this time Earl Warenne petitioned the Pope as follows:—1344. March 28. Avignon. Petition to the Pope from John, Earl of Warenne, for plenary indulgence at the hour of death for himself, his wife, his son, William de Warena, knight, and Margaret, his wife; and for Robert de Lynne, his chaplain, monk, of Castle Acre, dioc. Norwich. *Granted*.<sup>3</sup>

In 1345 Joan de Bar, Countess of Warenne, wife of the earl, was going abroad on the King's service; and on February 8, at Westminster, for her security and indemnity, the King ordained that the lands, which by his ordinance the earl has assigned to her for her maintenance, with all the goods thereon, be taken into his hands for safe custody, against such as might enter and spoil them in her absence. He granted also that in any plea against the earl or other tenant, for life or otherwise, of any lands which belong to her, where she would have the right to be admitted if she were present, William de Bohun, Earl of Northampton, William de Clynton, Earl of Huntingdon, and three others, whom she has attorned in her place before the King until the Purification next, or their deputies, shall be admitted; and that if the earl die while she is in parts aforesaid, they shall have power to act for her, even though she be not called in these presents, Joan, late wife of John de Warenne, Earl of Surrey, until the said Purification. By p.s.<sup>4</sup> And on February 11, at Westminster, he granted to the countess, notwithstanding the ordinance that the lands shall be in the King's hands, ministers and others, whom she by letters patent shall depute to receive and administer the goods therein for her use, shall have full powers to do this, and

<sup>1</sup> *Cal. Papal Letters*, iii., p. 522.

is entered as a grant in *Cal. Papal Letters*, iii., p. 145.

<sup>2</sup> *Ibid.*, p. 595.

<sup>4</sup> *Cal. Pat. Rolls*, 1343-1345, pp. 432,

<sup>3</sup> *Cal. Papal Petitions*, i., p. 46. This 433.



to audit accounts of the bailiffs and receivers thereof as though they were the King's ministers. By p.s.<sup>1</sup>

#### EARL WARRENNE AND THE PRINCESS MARY.<sup>2</sup>

And now comes the most remarkable document in the whole of this series. The earl had been thwarted in his various and repeated attempts to get rid of his wife, putting forward first one reason and then another, and now, after the failure of them all, he is yet determined in the matter, and puts forward the most remarkable statement of all. He stated or confessed that there had been irregularity between himself and his own relative, his wife's aunt, the Princess Mary, fifth daughter of King Edward I., before he was married! He then was nineteen, and the Princess Mary was twenty-seven. She was at the time a nun of Fontevrault, at the monastery of Ambresbury; and if the statement really was true, he was *ipso facto* excommunicate. But was it so? Princess Mary had now been dead some years. If this fact had been brought forward at the time of the first attempt at divorce and proved, it would have carried the day, as it is improbable that the Pope would have overlooked it. Anyhow, the earl had confessed to this, and the matter had to be dealt with. It was laid before Pope Clement VI., and he at V., by Avignon, on May 15, 1345, issued a mandate to the Bishop of S. Asaph to absolve John de Warenne, Earl of Surrey and Stratherne, Lord of Bromfeld and Yale, from excommunication, which he has incurred by inter-

<sup>1</sup> *Cal. Pat. Rolls*, 1343-1345, pp. 432, 433.

<sup>2</sup> Princess Mary. She was the daughter of Edward I. She was born in 1278, and when four years old, in 1282, her grandmother, the Queen-mother Eleanor, was desirous that they together should enter as nuns the Monastery of Nuns at Ambresbury. This was accomplished on August 15, 1285, when Mary was in her seventh year. The King was present; he dated letters patent there on August 15 to 17 inclusive. (*Cal. Pat. Rolls*, 1281-1292, pp. 186-90.) They lived there together until June 24, 1291, when Eleanor died. King Edward appears to have visited them frequently during his mother's lifetime. There is evidence that he was there on Jan. 20, 1286 (*Ibid.*, pp. 218-19), on Oct. 28-29, 1289 (*Ibid.*, pp. 325-6), April 17, 1290 (*Ibid.*, p. 349), and on 16, 17 and 18 of the same month (*Ibid.*, pp. 150-2); on Feb. 9, 1291, also on 17, 18 and 20 of the same month (*Ibid.*, pp. 420-2 and p. 454); and on Sept. 10 to 12 of the same year. Eleanor had died between these two visits (*Ibid.*, pp. 442, 445). When Mary entered

Ambresbury it was intended that when Queen Eleanor died she should go to the Abbey of Fontevrault, the mother house, but he decided for her to remain in England. She was usually spoken of as "The Lady Mary, the King's dearest daughter, a nun of Fontevrault, now staying at Ambresbury." When she entered, Edward granted to the abbey £100 yearly for the maintenance of her chamber. In 1317, and again in 1319, there was some objection to her making visitation of the houses of the same Order in England, by the abbess of Fontevrault, but intervention of Edward II. and the Pope overcame it. King Edward said he did not believe any other lady of the Order would make the visitation more usefully than her, and he was not aware that she had deviated from right whilst doing so. (*Cal. Close Rolls*, 1313-1318, p. 470, and *Cal. Papal Letters*, ii., p. 427.) In 1329, 4 non. November, the Pope granted permission for her confessor to give her plenary absolution at the hour of death. (*Ibid.*, p. 302.) She died in 1332.

marrying with Joan, daughter of Henry, Count de Barre, whose mother's sister, Mary, he had carnally known. A penance is to be enjoined; and as to the marriage, canonical action is to be taken.<sup>1</sup>

What the Pope meant by the expression 'canonical action is to be taken' is not apparent, but it is evident that he did not blame Joan for the marriage, as he might well not do, for on July 17 following (1345), at Avignon, he sent to the Archbishop of Canterbury and his official, inhibition touching the case of the Earl of Warrenne and Joan de Barre, his wife, in regard to which Joan has been molested in the Archbishop's Court contrary to the Pope's declaration in the matter.<sup>2</sup> The penance imposed, or what is recorded of it, will be reported further on. Meanwhile, other matters were taking place.

1344. July 15. In the chapel of the houses sometime of J. de Kirkeby, Bishop of Ely, John, Earl Warrenne, did homage and fealty for the lands of Bromfeld and Val, in Wales, and fealty for the lands of Hope, co. Chester.<sup>3</sup>

#### CASTLE ACRE.

Richard, Earl of Arundel, granted to the King and his heirs the reversion of the castle, town, and manor of Castle Acre, and the manor of Beeston, co. Norfolk; and the manors of Tibourn, co. Middlesex; and Medmenham, co. Bucks., with the appurtenances, expectant on the death of Earl Warrenne. On June 24, 1345, at Sandwich, the King regranted the same to Earl Richard for life, with remainder to the Earl of Huntingdon and others, and their heirs, with power for them to release them to the Earl of Arundel and his heirs. By K.<sup>4</sup>

The King was to be away in France, and he had appointed his son Lionel to act as Regent of the kingdom during his absence. On July 1 he appointed J., Archbishop of Canterbury, R., Bishop of London, R., Bishop of Chichester, Thomas, Bishop-elect of Durham, and John de Warrenne, Earl of Surrey, and others, his counsellors.<sup>5</sup>

#### THE PENANCE ENJOINED.

The following transaction in reference to Roche Abbey appears, without doubt, to have been 'the penance enjoined' upon Earl Warrenne:—

1345. November 22. Westminster. Whereas the King's kinsman, John de Warennia, Earl of Surrey, holds the manor of Haytfield for life of the grant of Edward II., with successive remainders to Maud de Neyrford for life, to John de Warennia her son, in tail male, to—

<sup>1</sup> *Cal. Papal Letters*, iii., p. 169.

<sup>2</sup> *Ibid.*, p. 187. According to Ducarel's Abstract, there is nothing about this 'molestation' in the Lambeth Registers.

<sup>3</sup> *Cal. Pat. Rolls*, 1343-1345, p. 231.

<sup>4</sup> *Ibid.*, p. 488.

<sup>5</sup> Synopsis of Rymer's *Fœdera*.

Thomas his brother, in tail male, and to the heirs of the body of the said earl, and reversion to the said King and his heirs, as in the letters patent is more fully contained; the earl has now made petition that—Whereas the said Maud is dead, and John son of Maud and Thomas have taken the religious habit in the Order of the Brethren of the Hospital of S. John of Jerusalem in England, at Clerkenwell, he may have licence to grant for his life to the abbot and convent of Roche, the advowson of the church of Haytfield, held in chief, which church is extended, of the value of 70 marks yearly; and the King has assented to his petition. Also, as a further grace, the King has granted that the abbot and convent shall retain in frankalmoign the said advowson, which should revert to him on the death of the earl; and may appropriate the church whenever they deem it expedient to do so, to find thirteen monks as chaplains to celebrate divine service daily for ever in the abbey for the King, Queen Philippa, and their children, and for the earl; also for the soul of William, the King's son, who lately died in the said manor; also the souls of the progenitors of the King and of the earl. By p.s.<sup>1</sup>

This gift was a greater sacrifice on the part of the King than of the earl, who had only a life interest, and was then fifty-eight years of age. As before pointed out, Maud's sons had become 'religious,' and could not hold property themselves, and could not marry and have heirs. Maud being then dead, the advowson would at the earl's death go by the terms of the grant to the King and his heirs. Writers from Watson downwards have lost sight of the above, and have assumed and asserted that all three—Maud and her two sons—predeceased the earl. The King's son William, who is spoken of in the charter, was 'Prince William of Hatfield,' whose monument is conspicuous on the wall of the north choir aisle of the Cathedral at York.

Aveling, in his *History of Roche Abbey*, pp. 51–53, gives a copy of the earl's charter, from the *Dodsworth MSS.* (so far as it can be made out). In the preamble the earl says:—'Beholding the scarcity of fruits, rents, and possessions generally pertaining to the religious men, the abbot and convent of Roche . . . . .; also nobly grieving for the paucity of monks serving God there; and being most deeply anxious for the augmentation of divine worship, and also for increasing—by the help of God—the number of brothers in the same; . . . .' There is no mention in it of Maud or her sons. He speaks of it as his by hereditary right, and does not mention the regrant by the King. He finishes by promising that he and his heirs will for

<sup>1</sup> *Cal. Pat. Rolls*, 1345–1348, p. 16.

ever 'warrant and defend' the same to the monks against all people. It is dated at Lewes, December 5, 1345.<sup>1</sup>

The following 'ratification,' though of a much later date, is too interesting and pertinent to the subject to be omitted:—

1379. 3 Ric. II., part 1, memb. 31. July 14. Westminster. Ratification of the estate which the abbot and convent of Roche have in the church of Haytefeld, co. York, upon this petition, alleging that the said church, the advowson of which was formerly granted to them by John de Warennia, Earl of Surrey, by licence in mortmain by the late King, dated 22 November, 19 Edw. III., as appurtenant to his manor of Haytefeld, and which they have accordingly appropriated, was at the time of that earl's earlier grant of that manor and other lands in the counties of York and Lincoln to Edw. II., 7 May, in the 19th year of his reign, severed from the said manor, and an advowson in gross: on which account they fear disturbances in their possession: provided that they find 13 monks to celebrate divine services daily in the abbey for the estate of the King and his mother while living, and for their souls after death.<sup>2</sup>

The church of Hatfield was appropriated to the use of Roche Abbey on May 19, 1346. The following is a further illustration of the relations of the earl and the King with respect to the Yorkshire estates at this time:—

#### FISHLAKE.

1346. 20 Edward III., part 1. February 10. Westminster. Whereas John de Warennia, Earl of Surrey, holds the manor of Fisshelak for life of the grant of the late King, with successive remainders to Maud de Neyrford for life, to John de Warennia her son, and to Thomas his brother, and the heirs male of their bodies, and to the heirs of the body of the earl, and reversion to the King. And whereas the earl afterwards granted for his life to John de Wyngefeld a messuage, 188 acres of land, 21½ acres of meadow, and 11 acres of several pasture, out of his demesne lands in Balne, at the rent of a rose, and the King accepting such grant, granted as a further grace that John de Wyngefeld should hold the same after the death of the earl to him and his heirs, as by letters patent of the late and present King appears: the King's serjeant, William de Notton, who has now with his licence acquired of him, Isabella his wife, and his heirs from the said John the said messuage, land, meadow, and

<sup>1</sup> Watson quotes this charter, and gives the proper date, 1345, but gives the value as 7 marks. Aveling gives the date as 10 Edw. III. (1336), but the value as 70 marks. Hunter, in his *Deanery of*

*Doncaster*, speaks of this gift as *in loco penitentiae*. There can be little doubt that it was a compounding for the penance enjoined by the Pope.

<sup>2</sup> *Cal. Pat. Rolls*, 1377-1381, p. 380.

pasture, has made petition to the King, showing that the said Maud is now dead, and John and Thomas have taken the religious habit in the Order of the Brethren of the Hospital of S. John of Jerusalem, in England, at Clerkenwell, and are professed in that Order, without heirs male of their bodies; and praying him for their indemnity to confirm the estate of him and Isabella his wife in the messuage and lands, which at the time of the grant by Edward II., of the manor of Fisshelak, were parcel of the said manor, and the King confirms the same accordingly. By p.s. and by fine of 20s. York. And be it remembered that the within written William de Notton on 16 July in the 25th year did fealty for the land and tenements within written.<sup>1</sup>

It was not unusual for the King to grant 'a general pardon' to persons in high office, and to those who had difficult duties to perform that might directly or indirectly lead to bloodshed. Such a general pardon was granted at this time to Earl Warenne.

1346. 20 Edw. III., part 1. March 5. Westminster. Pardon to John de Warenna, Earl of Surrey, of the suit of the King's peace against him, for homicides, felonies, robberies, larcenies, and trespasses in England, whereof he is appealed, and of any consequent outlawries. By p.s.<sup>2</sup>

1346. April 22. John, Earl of Warenne, Surrey, and Stratherne, to the Chancellor. As his two sons, Edward de Warenne and William de Warenne, are ready to attend the King abroad, he begs that the former may be discharged from the demand to find a man-at-arms for his lands in Norfolk, as he holds no others there. Caneford.<sup>3</sup>

At this time the earl had a Friar Preacher among his attendants:

1346. June 21. Porchester. Protection for his good service, and the great affection which the King has for him, for John de Lincoln,<sup>4</sup> of the Order of the Preachers, staying in the company of John de Warenna, Earl of Surrey, who fears that he is in bodily danger from some of his enemies. By p.s.<sup>5</sup>

The Countess Joan was now abroad, and was making arrangements to visit England, and she had good reason for doing so, as will be seen further on. The King granted a protection for the sailors, who would be engaged in bringing her to England and going back to their own country, as follows:—

1346. June 28. Porchester. Protection and safe conduct for the masters and mariners of one or two ships wherein the King's

<sup>1</sup> *Cal. Pat. Rolls*, 1345-1348; pp. 51, 52.

<sup>2</sup> *Ibid.*, p. 54.

<sup>3</sup> *Pat. 20 Edw. III.*, part i., m. 15, p. 265, No. 1456.

<sup>4</sup> John de Lincoln must have had an interesting history.

<sup>5</sup> *Cal. Pat. Rolls*, 1345-1348, p. 127.

kinswoman, the Countess of Warrenne, with her household, intends to come from Wytsand to Dover, in coming to Dover, staying there, and returning again. By p.s.<sup>1</sup>

On July 18, 1346, the earl was at Westminster, and there witnessed a charter. He must then have been in feeble health, for shortly afterwards, on October 13, the King granted him an exemption for life from personal attendance at Parliament and Councils against his will, as he was too feeble for work; provided always that on receipt of every summons to attend the same, he send in his place some qualified person, with sufficient power to do and agree to what is done. By p.s.<sup>2</sup> He was then sixty years of age.

#### ISABEL DE HOLLAND.

Now occur documents which appear to explain the state of unrest which is indicated by previous documents as existing in the mind of Earl Warrenne. There was another lady, Isabel de Holland, who was a new and serious rival to the Countess Joan in the earl's affections. I suggest that it was in the interest of this lady, if not actually by herself, that the incident concerning the Princess Mary was taken up or invented.

In the earlier part of this year—1346—Warrenne made a fresh arrangement with the King for the settlement of those portions of his estates which were situated in Surrey, Sussex, and Wales, which he had previously got King Edward II. to regrant to him in 1326, for himself and his wife, Joan de Bar, for life, with remainder to Edmund, Earl of Arundel, and others. What was now done is explained by the following document, which Dugdale enters in his *Baronage*, i., p. 81. It is given here from Watson's *Lives*, ii., pp. 48, 49.

1346. 20 Edw. III. June 2. Chautune. The King will protect and defend John de Warrenne, Earl of Surrey, against all persons whatsoever, natives or strangers, in all quarrels and causes which might in reason concern him; also he will support him in the peaceable possession of all his lands whereof at this date he was seised, either in England or Wales; and if God should please to send him an heir, by Isabel de Houland then his wife (?), should the same heir be male or female, it should be joined in marriage to some one of blood royal, whom the King should think fittest; so that the whole inheritance of this earl, with the name and arms of Warrenne, should be preserved by the blood royal in the blood of him, the said earl. And in case he should depart this life without such issue, begotten on the body of her the said Isabel, that then all his castles,

<sup>1</sup> *Cal. Pat. Rolls, 1345-1348, p. 127.*

<sup>2</sup> *Ibid.*, p. 196.

manors, lands, and tenements, in Surrey, Sussex, and Wales, should after such his decease remain to the King, to be bestowed upon some one of his own sons, on whom he should think fit; on condition that in the person of such son and his heirs, the name, honor, and arms of Warenne should be for ever maintained and kept.

And moreover it was further agreed, that if the said Isabel should, by the law of the realm, be endowed of those lands and tenements lying in the counties of Surrey, Sussex, and Wales before specified, whereof he was at that time possessed, that then she should be only endowed of those manors, lands, and tenements, reserving the castles to the King and to such of his sons on whom the King should think fit to bestow them, she having a reasonable assignation otherwise in lieu of them.

It was shortly after the date of this charter that the Countess Joan came to England from abroad. That this new settlement should cause much talk and much debate is only natural. The Earl of Arundel, Richard, son of Edmund, to whom the reversion of these lands had been granted, was disturbed by it, and went to the King in protection of his rights, as the following sets forth:—

1346. 20 Edw. III. November 20. By Calais. Whereas of late it was agreed upon between the King and John de Warenna, Earl of Surrey, that the earl should enfeof him in perpetuity of all his lands in the county of Sussex and Wales and elsewhere,<sup>1</sup> which the King was given to understand could be done without prejudice to anyone; it was afterwards asserted by Richard, Earl of Arundel, who came to the King when he was on his passage, near Iremuth, in the Isle of Wight, that such feoffment would be to his disherison, because that in the event of the death of the Earl of Surrey without heir of his body, the lands are known to pertain to him (Richard, Earl of Arundel); and the King at his prayer commanded John de Offord, King's clerk, dean of Lincoln, the Chancellor, by writ of Privy Seal, and afterwards by word of mouth by William de Clynton, Earl of Huntingdon, to cause execution of the enfeofment to be stayed until further orders. Now on revolving the matter in the court of his conscience, it seems that he ought not to receive such feoffment, and in consideration of the service of the petitioner in the war of France, he has granted that the same shall not be carried into execution. By K.<sup>2</sup>

The following charter sets forth the King's decision at length:—

1346. 20 Edw. III., part iii. December 12. Eltham. Whereas Edward II. by charter granted in tail male to John de Warenna

<sup>1</sup> "Elsewhere" does not include Yorkshire.

<sup>2</sup> *Cal. Pat. Rolls*, 1345-1348, p. 480.

Earl of Surrey, and Joan his wife, the castle and town of Reygate and the manors of Dorkyng and Bechesworth, co. Surrey; the castle and town of Lewes, the manors of Cokefeld, Cleiton, Dichenyng, Mechyng, Peccham, Brightelmeston, Rottyngeden, Houndeden, Northsee, Rademeld, Kimer, Middelton, Alyngton, Worth, and Picoumbe, and the towns of Iford, Pidinghowe, and Seford, co. Sussex; with the castles of Dinarsbran and Castel Lleon (Castro Leonis) and the lands of Bromfeld and Yal and Wryghtesham, in Wales; with knights' fees, advowsons, and everything else pertaining to the same; with remainders to Edmund, Earl of Arundel, and Alesia his wife, now deceased; to Richard, son of the said earl, Isabel then his wife, and the heirs of their bodies; and to the right heirs of the said Earl of Surrey:

And whereas the present King, not being fully instructed of the grant of his father, lately regranted the premises, which the Earl of Surrey surrendered to him and his heirs, to the said earl and the heirs of his body lawfully begotten: and in default of such, to revert to the King:

Richard, Earl of Arundel, has now made petition that the King will revoke such surrender by the Earl of Surrey, and regrant by him, as these will disinherit petitioner of his right to the premises which should descend to him, in the event of the death of the Earl of Surrey without lawful heir; and the King considering that the grant by his father was not made without legitimate causes, and taking into account that out of affection for his father he ought not to infringe a legitimate deed of his: also that his own good faith and conscience would be grievously injured if his father's deed did not endure; entirely renounces and quashes the surrender by the Earl of Surrey and the regrant to him aforesaid, as well as any other thing, whether by fines, negotiations, grants, or otherwise by the Earl of Surrey, or in his favour, done to the prejudice of the charter of Edward II.

Furthermore, by reason of the said surrender, the King granted that the castles, towns, and manors of Conyngesburgh and Sandale, and the manors of Wakefeld, Thorne, Heytefeld, Souresby, Braithewell, Fisshelak, Dewesbury, and Halifax, co. York, held by the said earl of his grant in tail, with reversion to the King; should in default of heir of the earl's body, remain to Isabella de Holande, daughter of Robert de Holande, begotten of the body of Maud, late his wife, for her life; with the knights' fees, advowsons, &c., and then revert to the King; and the grants and surrender aforesaid are revoked, because, in view of the deed of Edward II., they cannot take effect without violence to the King's good faith and conscience, which he would not and should not violate; he revokes the grant to the said Isabel



as well as the enrolments of the letters of all the grants aforesaid, even though the earl have attorned to the said Isabel. By p.s.<sup>1</sup>

In the January following (1347) Countess Joan was staying beyond seas on the King's business, and he therefore issued an indemnity for her protection as follows:—

1347. 20 Edw. III., part iii. January 10. Eltham. Grant to the King's kinswoman, Joan de Bar, Countess of Warenne, wife of John de Warennia, Earl of Surrey, who is staying beyond the seas on the King's service, for her indemnity in the meantime; that if any plea has been or shall be moved against the earl or any tenant for life or otherwise, of any lands, tenement, free fee, or right of the countess; or whose reversion pertains to her, which would be lost by default of her or any ténant, and if she being present would be admitted to defend her right in that behalf; William de Bohun, Earl of Northampton, William de Clynton, Earl of Huntingdon, and three others named, whom she has appointed before the King as her attorneys in England until Whit-Sunday; and those deputed by them or any one of them, shall be admitted without difficulty in her place in the King's Court. Also that in the event of the death of the Earl of Surrey while the countess shall be so beyond the seas, the said attorneys and those deputed by them shall have power in her place to do the premises and to sue and defend all actions, demands, plaints, and other matters affecting her; and to claim her right with effect, as she would do if present in person, notwithstanding that in the present letters she is not called Joan, *late* wife of John de Warennia, Earl of Surrey. *Renewed because sealed at another time by p.s.*<sup>2</sup>

On March 21, 1347, 21 Edward III., the King at Reading granted a licence to Richard, Earl of Arundel. Certain parts of it refer to the Warenne property, and these are as follows:—

Licence for Richard, Earl of Arundel, to enfeoff John de Alresford and John Sprot, chaplain, and the heirs of the latter, of the castle, town, and manor of Arundel, the manors of . . . . . (very many named, and other places also) . . . . . the castle, town, and manor of Castle Acre, and the manor of Beeston, which John de Warennia, Earl of Surrey, holds for life . . . . all said to be held in chief, shall remain to the same, with all knights' fees and other appurtenances; and for them to regrant the whole to him for life; and to grant that after his death the said castle, town, and manor of Arundel . . . the castle, town, and manor of Castle Acre; the manor of Beeston . . . . shall remain to the heirs male of the earl begotten of the body of

<sup>1</sup> *Cal. Pat. Rolls, 1345-1348, p. 221.*

<sup>2</sup> *Ibid.*, p. 226.

Eleanor, or in default of such, to Richard de Arundel the younger and the heirs male of his body, with reversion to the right heirs of the earl. By p.s.<sup>1</sup>

The serious condition of the earl's health at this time is reflected in the following charter of the King to the prior of Lewes:—

1347. March 25. By Calais. Grant to John de Jacourt, prior of Lewes, for good service done to the King, that, although the latter lately granted to John de Warennæ, Earl of Surrey, the advowson of churches pertaining to the priory, which had been taken into his hands on account of the war with France, in the event of the earl predeceasing him, the prior, he shall then have the advowsons again as fully as he had them before they came into the King's hands By K.<sup>2</sup>

1347. June 20. Reading. Commission to Thos. de Weyvill and John de Alresford, setting forth that whereas the King took into his hands, among other alien priories, the priory of Lewes, with the knights' fees and advowsons pertaining to the same; and committed to John de Warennæ, Earl of Surrey, the said advowsons so long as the war with France should endure, he is informed, on the earl's behalf, that although he accordingly presented to the church of Stedeham, with the chapel of Heshete annexed thereto, which pertained to the prior's presentation; at the time of the taking of the priory into the King's hands a certain provisor of the Court of Rome has forcibly intruded into these, by pretext of a grace made to him of a benefice; holds the same and consumes the profits; and besides is prosecuting appeals to draw the matter into the Court of Rome; and appointing them to find by inquisition in the co. Sussex the names of those concerned in this intrusion and all particulars connected therewith; and take all persons indicted by the inquisition and imprison them in the Marshallsea prison of the King's Bench, until they be delivered thence according to law and the custom of England.<sup>3</sup>

#### DEATH OF EARL WARRENNE.

The following is of a month's later date, the earl having died in the meantime:—

1347. July 17. Reading. Presentation of Robert de Creyk to the church of Fisshelak, dioc. York, in the King's hands, by reason of the lands of John de Warennæ, Earl of Surrey, deceased, tenant-in-chief, being in his hands. By p.s.<sup>4</sup>

<sup>1</sup> *Cal. Pat. Rolls*, 1345-1348, pp. 328, 329.

<sup>2</sup> *Ibid.*, p. 533.

<sup>3</sup> *Cal. Pat. Rolls*, 1345-1348, p. 384.

<sup>4</sup> *Ibid.*, p. 357.

1347. September 24. Calais. Ratification of the estate of Thos. Bertram, as parson of the church of Fisschelak, on the presentation of John, late Earl of Warenne. By K.<sup>1</sup>

The earl died at Conisborough Castle on June 30, 1347, on his sixty-first birthday. His wife Joan de Bar was abroad at the time. His will<sup>2</sup> was made at Conisborough Castle. He wished to be buried in the church of the priory of S. Pancras, Lewes, in an arch near the high altar, on the left side, in the place which he had prepared.

He speaks of Isabel de Holande as 'ma compaigne,' and leaves her plate and jewels, which he names, and half of his estate in cows, mares . . . . and other beasts; "and after that my debts and devises be made, I give to my said 'compaigne' all the residue of all my goods and chattels, and whatsoever things they find," . . . . and for the same cause . . . . he orders all his manors to be sold, and he declares that on his decease no one can claim as 'county of Warenne' any part of his lands, or can claim by vow of succession and title or property, without the good grace and assent of all his executors. He is very stringent that the money is to be paid for everything at the time of sale. Executors, J., Archbishop of Canterbury, Dame Maude de Hollande, Mr. J. de Hollande, and others. Besides these bequests to 'ma compaigne,' he left to Dame Maud de Holande four carriage horses, from his stud in Sussex. To Mon. Robt. de Holande the leathern armour for the haunches and breast of my charger or war-horse. To Mon. Otes de Holande the burnished coverings of plate which are for the same. For other children he leaves:—To Mon. William de Warenne, my son, 100 marcs, my 'hure'<sup>3</sup> d'argent dorre' for Stratherne, with its band of silver gilt, two tags, and the lace of silver gilt for the mantlings; and all my armour for joisting. I leave to my daughter, his wife—sa compaigne—one nouche d'or. I leave to Edward de Warenne, my son, £20. I leave to Johan de Basyng, my daughter, a cup of silver, plain. I leave to Katerin, my daughter, ten marcs. I leave to Dn. William de Warenne, my son, my Bible, which I had made in French (Fraunceys), which shall remain in the house where he will be prior, after his death, in perpetual memory of myself. Also he gave to the prior of Durham his chalice of gold ornamented with pearls, for the high altar of S. Cuthbert.<sup>4</sup>

<sup>1</sup> *Cal. Pal. Rolls*, 1345–1348, p. 559.

<sup>2</sup> It is given at length in *Testamenta Eboracensis*, Surtees Society, vol. i., pp. 41–47.

<sup>3</sup> The 'hure' was what is now known as a 'chapeau,' or 'cap of dignity,' a kind of hat worn over the helmet. The makers

of them were called 'hurriers.' This 'hure' bore the crest of Stratherne.

<sup>4</sup> Lord John, Earl of Warenne, gave to the church of Dunelm a chalice of great value of the purest gold, with many precious stones inserted. (*Durham Wills and Inventories*, Surtees Society, i., p. 26.)

Immediately the Warrenne estates in Yorkshire came into the King's hands on the death of the earl, on July 6, 1347. The King, dating 'by Calais,' made a grant for life for Robert de Maule of the keeping of the King's park and chace at Haytfeld, as well as of the fishery there, now in the King's hands by the death of John de Warennia, Earl of Surrey, in taking for the same as much as others who have had the keeping have been accustomed to have. By K.<sup>1</sup>

A constable of Conisborough Castle was also appointed.

July 10, 1347. By Calais. Grant for life to Walter Withors, King's yeoman, of the office of the constableness of the castle of Conesburgh, now in the King's hands by the death of the Earl of Surrey; to hold the bailiwick of the town of Conesburgh and the hamlets pertaining to the said castle; as well as with the keeping of the park, woods, mills, and passage there; and all other appurtenances of the office, receiving the accustomed wages and fees. By K.

Thieves and rascals soon got to work to steal the belongings of the dead earl. On July 12, 1347, at Reading, a Commission of O. and T. was appointed to enquire touching the persons who broke the parks and closes late of John de Warennia, Earl of Surrey, deceased, which should remain to the King after the decease of the earl, at Conesburgh, Sandale, Hatfeld, Thorne, and his free warrens there; felled the trees and fished in the several fisheries there; and carried away fish and the said trees and other goods, as well as deer from the parks and chaces, and hares and rabbits, partridges and pheasants, from the warrens. By p.s. And afterwards, on September 15, another is added to the commission.<sup>2</sup>

Two presentations also took place to the church of Troubridge, dioc. Salisbury, in rapid succession.

1347. July 17. Reading. Presentation of Elias de Grymesby to the church of Troubrugge, dioc. Salisbury, in the King's gift by reason of the lands late of John de Warennia, Earl of Surrey, deceased, tenant-in-chief, being in his hands.<sup>3</sup> And again on July 21, presentation of Richard de la Hyde to the same church for the same reason.<sup>4</sup>

On August 6, 1347, Lionel, the son of King Edward, who on July 1, 1345, had been appointed Regent during his father's absence in France, made the following grant on his behalf:—

Edward, by the grace of God, King of England and France, and Lord of Ireland, to archbishops, &c. We have given and granted, for us and our heirs, to the aforesaid Edmund (Edmund de Langele,

<sup>1</sup> *Cal. Pat. Rolls*, 1345-1348, p. 544.

<sup>4</sup> *Cal. Pat. Rolls*, 1345-1348, p. 353.

<sup>2</sup> *Ibid.*, p. 545.

<sup>5</sup> *Ibid.*, p. 355.

<sup>3</sup> *Ibid.*, p. 392.

our dear son), all the castles, manors, towns, lands, and tenements, with their appurtenances, which belonged to John de Warennæ, lately Earl of Surrey, in the parts beyond (north of) the Trent, and which, on account of the death of the same earl, are in the hands of the King. To have and to hold the same to Edmund and his heirs male of his body lawfully begotten; together with knights' fees, advowsons of churches, chapels, abbeys, priories, and hospitals, and all kinds of appurtenances whatsoever belonging to the said castles, manors, &c., to hold of us and our heirs, by service due and accustomed perpetually. And if it happen that the said Edmund should die without such male heirs, then all the aforesaid castles, manors, &c., shall remain to John of Gaunt, brother of the aforesaid Edmund, to be held by the same John and the heirs male of his body lawfully begotten, of us and our heirs by the service aforesaid in perpetuity. And if the same John shall die without such heirs, then all the said castles, manors, &c., shall remain to Lionel of Antwerp, brother to the said John, to be held by the same Lionel and the heirs male of his body lawfully begotten, of us and our heirs, &c. And if the said Lionel die without such heirs, then all the said castles, manors, &c., shall revert entirely to us and our heirs.

Wherefore we wish and firmly enjoin for us and our heirs that the said Edmund may have all the said castles, manors, &c., to himself and his heirs male, &c., of us and our heirs, by the service aforesaid in perpetuity, as beforesaid.

These witnesses, the Ven. Father, J., Archbishop of Canterbury, &c., W., Wynton, our treasurer, R., London, bishops, Richard, Earl of Arundel, Mr. Jno. de Offord, dean of Lincoln, our Chancellor, and others.

Given by the hand of Lionel, our dear son, guardian of England. Reading, 6 August, 21st year of our reign in England and 8th year of our reign in France.<sup>1</sup>

And on August 8, at Reading. Whereas the King, by charter granted to his son, Edmund de Langele, in tail male, the castles and lands north of the Trent, which came into his hands by the death of John de Warennæ, Earl of Surrey; and Edmund is of too tender an age to rule or govern the same: to provide for the safe custody of him and the lands, the King grants that Queen Philippa, mother of the said Edmund, shall have the custody of the same lands, with the knights' fees, advowsons, liberties, and other things pertaining to the same, during pleasure, towards the sustenance of Edmund and his other children in her custody, without rendering anything for the

<sup>1</sup> Hunter's *South Yorkshire*, i., p. 111.

same; and shall in the meantime receive herself, or by her ministers, all issues, emoluments, and other profits, and shall present to churches and other benefices of the collation of Edmund by reason of the lands; and gives her full power of appointment and removal of all bailiffs and ministers thereof. By p.s.<sup>1</sup>

A discussion arose between Joan de Bar, Countess of Surrey, and the King as to presentation<sup>2</sup> to the church of Troubrigge, and the following charter was issued thereon:—

1347. 21 Edward III. October 7. Northampton. Although after the death of John de Warennæ, Earl of Surrey, tenant for life of the manor of Troubrigge, with the advowson of the church thereof, the King presented Richard de la Hide, King's clerk, to that church; and by another writ signified to the ordinary that, notwithstanding a writ of prohibition to him not to admit any person to that church until there had been discussion in the King's Court whether the advowson pertained to the King or Joan de Bar, Countess of Surrey, whereof there was contention between him and the countess; the latter having confessed before him in the Chancery that she will not impede him or his presentes for the turn, and granted that that presentation shall take effect, saving always her right at another time; he is to do what pertains to his office therein.

The King nevertheless would not that the countess, to whom he has ordered the said manor, and other manors with their advowsons to be now delivered, should be prejudiced in her right at another voidance by reason of the said confession and grant, but wills that then her right therein shall be safe. By C.<sup>3</sup>

There was an exchange of property between the Countess Joan and Richard, Earl of Arundel. The King granted licences for this to take place.

1347. 21 Edw. III., part 3. December 1. Westminster. Licence for Joan de Bar, Countess of Surrey, to grant to Richard, Earl of Arundel, for her life, the castles of Holte and Dynasbraan and the lands and lordships of Bromfeld and Yal, in Wales, even though these be held in chief; with all liberties, knights' fees, advowsons, and other things pertaining to the same, as fully and entirely as the countess held them. If the earl die in the lifetime of the countess, the castles and lands shall revert to her for her life. By p.s.<sup>4</sup>

1347. December 1. Westminster. Licence for Richard, Earl of Arundel, to grant to Joan de Bar, Countess of Surrey, for her life,

<sup>1</sup> *Cal. Pat. Rolls*, 1345-1348, p. 371.

<sup>2</sup> For presentation to this church see under dates July 17 and 21, 1347, p. 255.

<sup>3</sup> *Cal. Pat. Rolls*, 1345-1348, p. 412.

<sup>4</sup> *Ibid.*, p. 438.

£400 yearly out of the lands which he holds in chief in the county of Salop, and £500 yearly out of the like lands in the county of Sussex.<sup>1</sup>

Earl Warenne had during his life alienated large parts of his Yorkshire estates while he held them for life of the King, and manumitted a large number of bondsmen thereon, and done certain other things without having obtained the King's licence to do. The matter was now taken up, and the following commission was issued:—

1348. 22 Edw. III. February 6. Westminster. Commission to Thomas de Haukeston, William de Estfeld the elder, and two others, reciting that—the King is informed that John de Warennia, late Earl of Surrey, alienated to divers men in fee great part of the demesne lands in the manors of Conygesburgh, Haytfeld, Sandale, Wakefeld, Thorne, Fisshelak, and Sourebyshire, and of the lands of the bondmen there, which he held for life, and which after the earl's death came into the King's hands, manumitted a very large number of the said bondmen; and approved great part of the wastes in those manors, without having obtained the King's licence for this; to the prejudice and danger of disherison of Edmund de Langele, the King's son, to whom the King has granted all lands late of the said earl beyond the Trent; and appointing them to make inquisition in the county of York, and certify him of the whole truth herein. By C.<sup>2</sup>

The Countess Joan alienated her manors in Wilts. and Dorset, which had been specially granted to her for life, to Edward, Prince of Wales. The King granted her licence to do so.

1348. 22 Edw. III. May 1. Westminster. Licence for Joan de Bar, Countess of Warenne, to grant for her life to Edward, Prince of Wales, the King's son, the manors of Troubrigge, Ambresbury, Wynterbourn, and Aldbourn, with the foreign courts of Troubrigge, Shireweston, Lokynton, and Durlee, co. Wilts.; and the manor of Canford, co. Dorset, said to be held in chief, and all her other lands, rents, services, knights' fees, and advowsons of churches in those counties. In the event of the death of the prince in the lifetime of the countess, the premises are to remain to the King and his heirs for the lifetime of the countess. By p.s.<sup>3</sup>

When the Warenne possessions came into the Queen's hands, the King's ministers ceased to pay to the abbot and convent of Roche Abbey as parsons of the church of Hatfield, which they as such had previously received. They therefore petitioned the King that their possession therein might be restored. The King appointed a commission of enquiry.

<sup>1</sup> *Col. Pat. Rolls*, 1345–1348, p. 437.

<sup>2</sup> *Ibid.*, 1348–1350, pp. 63, 64.

<sup>3</sup> *Ibid.*, p. 93.

1348. July 4. Westminster. Commission to Robert de Malo Lacu, 'chivaler,' John de Houton, Elias de Waddeworth, and William de Estfeld the younger, to make inquisition in the co. York touching a petition of the abbot and convent of Roche, parson of the church of Hatfeld, exhibited before the King and Council in his Parliament at Westminster, setting forth that:—Whereas he lately committed to Queen Philippa, during pleasure, the keeping of the castles, manors, and lands, late of John de Warenn, late Earl of Surrey, by reason of the nonage of the King's son, Edmund de Langele, to whom he had granted the lands:—they prayed the King that they may have again one oak in the park or woods of Haytfeld, by the name of tithe, sixteen great animals in the same, by the name of tithe of herbage, the right to have all the swine of their demesne in the said woods, by the name of pannage, and one stick (*bindam*) of eels, for the tithe of the fishery in the waters of Braythemere and Newflet, which are parcel of such lands; as they and their predecessors, parsons of the said church, have been wont to have yearly in times past, in the right of their church, without impediment, until such times as the said tithes were withdrawn by the King's ministers, when they came in her hands, as they are still prevented from taking such by the Queen's bailiffs. By pet. of Parli.<sup>1</sup>

The grant by the King to Richard, Earl of Arundel, that the late surrender by the late Earl Warrenne to the King, and regrant by the latter. to the earl, should be rendered of none effect, Richard, Earl of Arundel, now petitioned the King 'more instantly' that his orders should be at once carried out.

1349. 23 Edw. III. June 20. Westminster. Whereas John de Warenn, late Earl of Surrey, by charter granted to the King and his heirs all his castles and lands in the counties of Surrey and Sussex and in Wales and the Marches of Wales; and afterwards, at the suit of Richard, Earl of Arundel, showing that such grant was contrary to the charter whereby the late King granted the same; which the same John had surrendered to him in fee; to the same Earl of Surrey, Joan his wife, and the heirs male of the earl's body, with remainder to Edmund, then Earl of Arundel, and Alesia his wife, now deceased; and the said Richard and others, as contained in the charter thereof; the King by letters of privy seal, remaining in the Chancery files, commanded Mr. John de Offord, then dean of Lincoln and the King's Chancellor, that the charter to the Earl of Surrey should be damaged and made of none effect, and both earls should be restored to the same state as they had before the grant; and that letters hereof

<sup>1</sup> *Cal. Pat. Rolls*, 1348–1350, p. 154.



under the great seal should be made to the Earl of Arundel; the earl has now made petition more instantly that inasmuch as full execution has not yet been duly demanded in respect of such last mentioned grant in his favour, his security will be provided for in this; and the King, assenting to his petition, quit-claims any right he could claim in the castles and lands by reason of the grant of the same to him by the Earl of Surrey to Joan de Bar, Countess of Surrey, late the wife of the earl, who has died without heir male begotten of his body, for her life; and has granted that at her death the castles and lands shall remain to the petitioner and his heirs. By p.s.<sup>1</sup>

The doings of Queen Philippa and her ministers in the Yorkshire estates of Earl Warenne are for a time of interest in connection therewith. Commissions of O. and T. for dealing with trespasses and theft have not been considered of sufficient importance in themselves for insertion here, but a few are not without interest.

On July 3, 1348, at Westminster, the King granted to Queen Philippa all fines, issues, and amercements and chattels forfeit, adjudged before Thomas de Hankeston and his fellows, justices lately appointed to hear and determine trespasses in parks, chaces, and stanks in the county of York of John de Warenn, late Earl of Surrey. By p.s.<sup>2</sup>

On July 17, at Westminster, at the request of Queen Philippa, a grant was made for life to Peter de Routhe, usher of her chamber, of the custody of the castle of Sandale, with the park adjacent thereto, and of the parks and outwoods of Wakefeld, as well as of the parks and chaces of Arvynden, Souresbishire, and Holmfirth, which came into the King's hands by the death of the Earl of Surrey, who held the same for life by grant of the late King, in taking for the custody the usual wages and fees. By p.s.<sup>3</sup>

The King granted the Countess Joan dower of £200 yearly out of the Yorkshire estates of the late Earl Warenne, that he had already granted to his son Edmund, and which were, on account of the nonage of the said Edmund, in charge of Queen Philippa. He afterwards granted the Queen compensation for this deduction, to be received from the Exchequer.

1349. 28 Edw. III. August 1. Westminster. Whereas the King by charter lately granted to his son, Edmund de Langele, the castles, manors, towns, and lands beyond the Trent, late of John, Earl of Surrey, deceased: and afterwards, by reason of the nonage of the same Edmund, by letters granted to Queen Philippa the keeping of

<sup>1</sup> *Cal. Pat. Rolls*, 1348-1350, p. 327.    <sup>2</sup> *Ibid.*, p. 109.    <sup>3</sup> *Ibid.*, p. 121.

the premises until Edmund should be of age to take it upon himself; and whereas at the suit of Joan de Bares, Countess of Warrenne, late wife of the earl, he afterwards assigned to her dower out of the same, valued at £200 yearly; to recompense his said consort while she has charge of his said son; and then his son; for the lands so assigned in dower: he has granted that she, and afterwards he, shall have the said sum at the Exchequer yearly from the date of such assignment. By p.s. and by information of the Treasurer.<sup>1</sup>

In the following year a fresh arrangement was made concerning this compensation.

1350. 24 Edw. III. May 12. Westminster. Grant to Queen Philippa, in satisfaction or part satisfaction of £200 yearly of land assigned in dower by the King's command to the Countess of Warrenne out of lands of the King's son Edmund, which were late of the Earl of Surrey, her husband; of the keeping of the lands of Henry de Wylyngton, tenant-in-chief, during the nonage of the heir, as shall be agreed upon between her and the Treasurer. By p.s. *Vacated because surrendered, and a recompense has been made thereof by other letters patent enrolled in the month of October in this year.*<sup>2</sup>

The Countess Joan was an active traveller, and besides going abroad on the King's business, she also went on pilgrimage. On May 30, 1350, at Westminster, the King granted her a safe conduct for one year, going on pilgrimage to visit the shrines of divers saints. By p.s.<sup>3</sup>

In November of the following year, on the 20th, at Avignon, the Pope granted to her an indult to enter monasteries of S. Clare or other enclosed religious, with four honest matrons, at convenient times.<sup>4</sup>

In the archives of the Corporation of London there is an evidence of her connection during her widowhood with the manor and town of Dorking.

1351-2. Andrew Aubrey, mayor, and the aldermen of the city of London, to Thomas de Wynkfeld, steward of the Lady Countess of Warrenne, in the town of Dorkyng, or his deputy.

Certain citizens of London (named) had complained of distress having been taken from their goods and chattels for toll demanded of all merchandise passing through the said town of Dorkyng contrary to the liberties of the said city of London. He is therefore requested to deliver up to them the distress so taken, inasmuch as the citizens

<sup>1</sup> *Cal. Pat. Rolls*, 1348-1350, p. 371.

<sup>2</sup> *Ibid.*, p. 501.

<sup>3</sup> (*Fadera*.) *Ibid.*, p. 514.

<sup>4</sup> *Cal. Papal Registers, Papal Letters*, iii., p. 431.

of London are and ought to be quit of all manner of toll throughout the King's dominion. The Lord have them in His keeping.<sup>1</sup>

In 1355 the Countess Joan petitioned Pope Innocent VI. on behalf of her *goldsmith*, who was a cleric, and held preferment in England. The petition was to the following effect:—

1355. Innocent VI. Avignon. Joan de Barro, Countess of Warenne. On behalf of her chaplain, Garner Bertrandi, goldsmith, of Verdun, for a canonry of Verdun, with expectation of a prebend, notwithstanding that he has the church of Weston Colville, dioc. Ely. *Granted*. 9 kal. April (March 23).<sup>2</sup>

A few days before, on March 15, the Pope had granted her another request.

Joan de Barro, Countess of Warenne. Whereas she, while at sea between England and France, vowed not to return to England until she visited Santiago de Compostella, &c.: afterwards, hearing of her husband's death, returned to look after his property in England without fulfilling her vow; she prays for dispensation to put off the fulfilment of it for three years.

*Granted* for 1½ years, or the vow may be commuted for a work of piety by the Great Penitentiary, who may absolve her and enjoin a salutary penance. Avignon. 16 kal. April.<sup>3</sup>

This same year Elizabeth de Burgh, Lady of Clare, in making her will, left to Dame Joan de Bar, Countess of Warenne, an image of S. John Baptist.<sup>4</sup>

It has been before stated that the Countess Joan de Bar went with Queen Isabella on her mission to her brother Charles, King of France. It was during this visit that the Queen became enamoured of Roger Mortimer, to her own undoing. Roger Mortimer was executed for his gallantry, and the King soon after, as Froissart records, by the advice of his Council, ordered his mother to be confined in a goodly castle, and gave her plenty of ladies to wait and attend on her, as well as knights and esquires of honour. He made her a handsome allowance to keep and maintain the state she had been used to, but forbade that she should ever go out or show herself abroad, except at certain times, when any shows were exhibited in the court of the castle. The Queen then passed her time there very meekly, and the King, her son, visited her twice or thrice a year. Castle Rising was the place of her captivity. Little is known

<sup>1</sup> *Cal. of Letters from the Mayor and Corporation of London, circa 1350-1370*, p. 33, No. 68. A footnote wrongly associates this with Isabel de Holand.

<sup>2</sup> *Cal. Papal Petitions*, vol. i.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Test. Vetus*, p. 59.

of her doings while in this custody, but it appears that after a time the restraint was somewhat relaxed. Through life Joan de Bar and she were on friendly terms; Joan was attending upon her at Westminster when the official of the archdeacon of Norwich got into trouble for serving a citation upon her, as before related. Joan frequently visited her to the end of her life.

Mr. E. A. Bond gives, in volume xxxv. of the *Archæologia*, from a MS. in the Cotton Collection in the British Museum, some account of the events at the close of the Queen's life, from October, 1357, to her death, which took place on August 22, 1358, at her castle of Hertford. The MS. is a roll of accounts, with marginal notes of events that occurred. The roll commences in October, 1357, when the Queen was at Hertford. The names of many of her visitors are given, and among them that of the Countess Joan frequently occurs. On October 4 the Countess of Warrenne supped with the Queen. On February 24, 1358, the countess visited her at Hertford Castle, and slept there. On April 20 the Queen was at Shene, and on that day she was visited by the Earl of Tancarville, a member of the royal family of France, and a captive in England after the Battle of Poitiers; also by the Countess of Pembroke and the Countess of Warrenne, and other magnates, who dined with her. On April 30 the Queen was in London, when the Countess of Warrenne supped with her; and on May 2 the Countesses of Pembroke and of Warrenne dined with her there, and the King, the Prince of Wales, the Earl of March, and others, came in after dinner. On the 5th of May the Countess of Warrenne was again at dinner, as also on the 8th, 9th, and 10th. On the 13th she also dined with the Queen, and John, King of France, then captive in England, visited her, as did also the Chancellor of England and others, after dinner. On May 14 the Queen left London, and rested at Tottenham on her way back to Hertford. The Countess of Warrenne accompanied her to Tottenham, and dined with her there.

On June 4 the Queen set out from Hertford on a pilgrimage to Canterbury; she rested at Tottenham on the 4th, and in London on the 5th and 6th, when the Countess of Warrenne dined with her. On July 5 the Queen was again at Tottenham on her way back to Hertford, and the Countess of Warrenne again supped with her there. The Queen after arriving at Hertford became very ill, and sank and died on August 22. On the previous day—August 21—the countess arrived at the castle, and remained with the Queen till the end.

Notices of messengers bringing letters to the Queen from the Countess of Warrenne are very frequent. Among special gifts by the Queen which are mentioned is one of fur to the Countess of Warrenne.<sup>1</sup>

<sup>1</sup> *Test. Velus*, p. 453-469.

On June 30, 1359, the King agreed with the Countess Joan to pay her £120 yearly, in lieu of the Yorkshire estates settled in dower upon her. And at the same time he granted to Edmund de Langele, his son, and the heirs male of his body lawfully begotten, all the manors, lands, &c., which belonged to her, of the dower of the earl her late husband.<sup>1</sup>

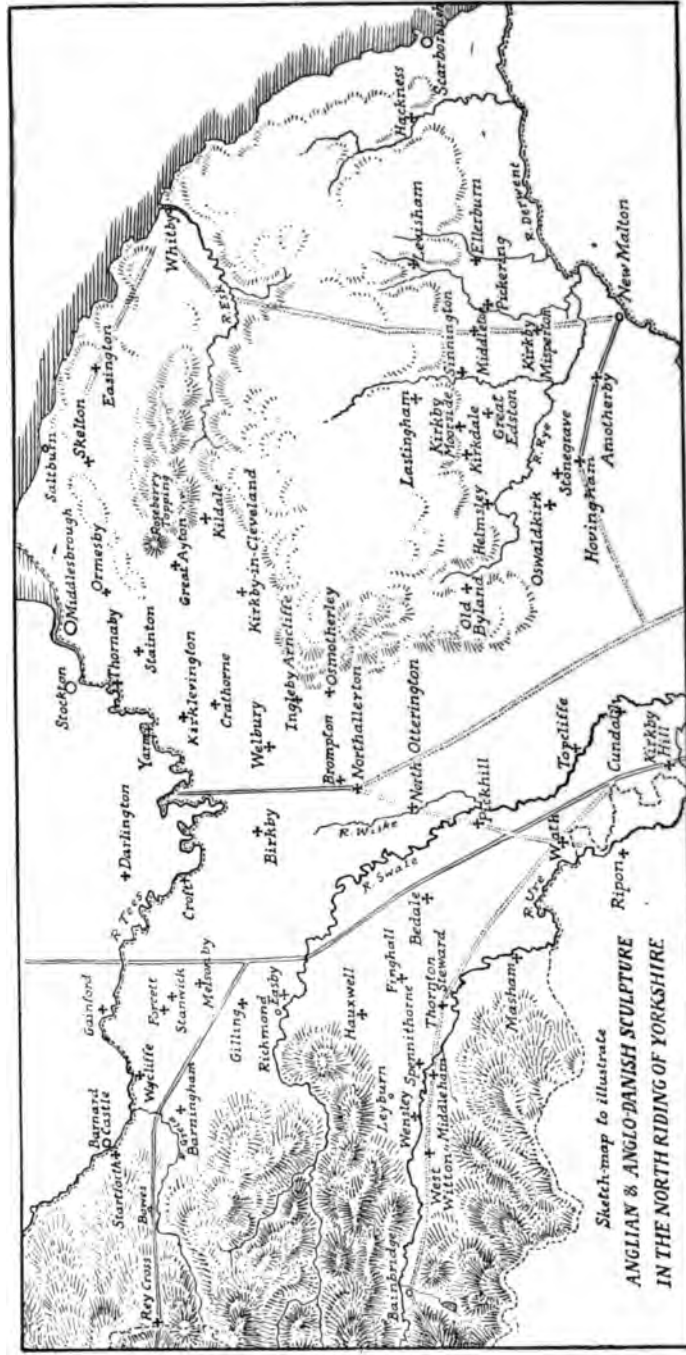
It is recorded in the chartulary of Lewes Priory that the Lady Joanna de Bars, Countess of Surrey, died on the last day of August, 1361. She is not buried in England. Fol. 109.<sup>2</sup>

This record clears up much that has been hazy and misunderstood. Earl Warrenne was a brave man, a great power in the state. He was the trusted adviser of Kings Edward II. and Edward III. He was a benefactor to the Church, and trusted by the Pope. The archbishops and bishops of England worked with him in many all-important matters of state. As a public man he ranks high. In private and domestic life he was, no doubt, unfortunate and unhappy. His wife when they married was a child, and half his own age; it is not wonderful that the marriage was not a success. He was probably not one whit worse than the great majority in his own station. In those days marriage was not looked upon as a very serious matter; legitimacy was undoubtedly an advantage, but illegitimacy was not an insuperable barrier. Both he and his wife, Joan de Bar, were trusted by the Kings and Queens of their time; and the Church certainly took a very lenient view of his failings. The worst blot on his character was his confession, years after her death, in reference to his wife's aunt and his own relative, the Princess Mary. But it appears very doubtful whether it was a true one; it appears rather the device of a designing woman. He at the same time, or shortly after, wished to upset all his obligations, and marry Isabel de Holand. He shortly after this died. It is not unreasonable to consider it a case of 'undue influence.' His domestic failure resulted in the diversion of his immense estates, and in recording this it has been necessary to relate the cause.

<sup>1</sup> *Rot. Pat.*, 33 Edw. III., part 1, m. 1, and *Cal. Rot. Pat.*, in *turri Lon.*, p. 169b, m. 1.

<sup>2</sup> *Sussex Archaeological Collections*, vi., p. 127.





(Also CATTERICK, HIGH HAWSKER, south of Whitby, and THORESBY, near Bolton Castle.)

## ANGLIAN AND ANGLO-DANISH SCULPTURE IN THE NORTH RIDING OF YORKSHIRE.

By W. G. COLLINGWOOD, M.A., F.S.A.

IN the North Riding there are about 260 stones, at sixty sites,<sup>1</sup> with carving of a pre-Norman character. Though most of them are fragmentary, they give data for nearly 250 monuments of the Anglian age—that is to say, the period of more than two centuries between the conversion and the Danish invasion—and the Anglo-Danish age, ending with the Norman Conquest.

The illustrations to this paper show all the carving on all these monuments, except in cases where a reference to other examples is enough for description. The figures are engraved to the uniform scale of one-twelfth, showing graphically the relative proportions and the fineness or coarseness of the work. With some exceptions, noted as they occur, they are from the author's drawings on the spot, checked by measurements, and sometimes helped by photographs taken at the time of examination. The photographs are not given, for the line sketches are more explanatory. Any details of low-relief carving on broken and weathered stones are liable to be lost or confused in a photograph; and not even the best photograph really enables a student to dispense with personal knowledge of the original.

An attempt has been made to collect all accessible remains; much help and information have been received from the incumbents of the churches where the relics are preserved, and from others, among whom Mr. William Brown, F.S.A., must especially be mentioned and thanked. Mr. J. Romilly Allen, F.S.A., Hon. F.S.A. Scot., has most kindly read the proof of this paper, and supplied four sites previously overlooked, together with valuable remarks which are acknowledged in the text. But in spite of assistance and care, it is impossible to be certain that some examples have not been missed; not to say that new stones are continually being found. There are a few sites, however, which are purposely omitted from the list.

In Mr. J. E. Morris's *Guide to the North Riding* (Methuen, 1904) forty-eight sites are named as exhibiting "Saxon" remains. Of these,

<sup>1</sup> From some of these sites, and from three others, stones have been removed; making a total of about 280 known fragments from sixty-three places in the North Riding.



four do not seem to be pre-Norman :—(1) Alne font, (2) Barton-le-Street cross-base, (3) Bowes interlaced fragment and fonts, and (4) Kirkby Knowle cross-head have no distinct marks of pre-Norman art. Mr. Morris's book, however, has been of great service in many ways, and though sixteen sites are here added, some would, no doubt, have been overlooked but for his help. Several stones to which attention was drawn did not seem to warrant their inclusion in the list, as, for instance, the "Panther" stone at Newton-under-Roseberry, many fragments of grave-covers, and a number of unornamented cross-sockets.

It is not the object of this paper to give a complete account of pre-Norman sculpture, but only to describe the North Riding stones; nor even is it intended to review the literature already in existence dealing with these, but to take them on their own merits, and see them with a fresh eye. It is impossible, however, to avoid some attempt at classification, which must be done in the briefest way, and with the smallest amount of explicit reference to examples outside the district and to the other arts. Still, with a series of this fulness and interest, there is room for comparison.

The great variety of ornament and treatment in these North Riding monuments alone shows that in four centuries many influences were brought to bear upon the sculptor's art, and much curious development went on, of which in the future we shall understand the progress and its causes. Nowadays these styles and periods are popularly, and most unjustly, confused under the heading of Barbaric Ornament; or, if they are discussed, the names of Celtic and Carolingian are too easily applied. Just so, a hundred years back, all pre-Renaissance pictures were passed over as Byzantine or Gothic, the worthless efforts of semi-savage mediævals who could not draw. In time we shall learn of our early sculptors, as we have learnt of early painters, that they were men trying hard to express ideals which we have to understand before we can appreciate their work, and that the history of their endeavours is discoverable in their remains. We know, at any rate, that the Anglian people included writers and thinkers like Bede and Alcuin; that their two centuries of independence, in the country of which the North Riding was the centre and heart, were two centuries of a civilisation which ranked high in the world of that age; that the Danish invasion, so lamentable in its earlier years, brought fresh blood and new energies in its train; and that up to the Norman Conquest this part of England was rich and flourishing. Its art-history remains to be written, and part of the material will be found in these monuments.

We have, therefore, to compare the forms of art here before us, and to study their materials and technic; then to examine their subject-matter, figures, animals and ornament; and, finally, to suggest a grouping of the remains in accordance with our analysis. As the plates of drawings are arranged alphabetically, it is hoped that the reader will have no difficulty in referring to the examples as they come under notice.

#### MATERIALS OF THE MONUMENTS.

The material of which these sculptures are made is usually the local stone. They must have been carved on the spot, and not imported ready made. The great cross at Stonegrave is of limestone; the white door-jamb at Lastingham is said to be a foreign stone, but most appear to be sandstones and freestones quarried in the neighbourhood, or picked up off the surface. Some which are more finely carved seem to be of closer-grained material, chosen with care, as if by masons accustomed to stone-work; others, less skilfully cut, are coarse blocks or slabs. For instance, Croft *a*, Easby, Hovingham, Lastingham *a*, Masham *a*, Northallerton *a*, Pickhill *c*, Wensley *a*, *b*, *d* and *g*, are fine stones finely cut; while at Bedale, Brompton, Finghall, Middleton, Reycross, West Witton (*b*), a rougher material served for rougher work. On the other hand, some works which must be attributed to skilled carvers are done in coarse stone; the Kirkby Hill impost is of yellow grit, though the ruder stones *f* and *i*, at the same place, are of still coarser stone. The beautiful Masham pillar is of very rough yellow freestone, perhaps because it was the only block available for a work of that size. The Cundall shaft is in hard brown stone; Lastingham *a* is dark grey, and Stanwick *c* is a hard grey stone. At Crathorne the lintel is of finer material than the ruder carvings, suggesting a different period. Fine stone is used for coarse work at Amotherby, Ellerburn, Finghall *c*, Forcett, Hauxwell *e*, and Thornton Steward. Red stone is usually associated with clumsy design and rude cutting; the West Witton slab is, indeed, of fine light-red freestone, but coarse red sandstone is used for Croft *e*, Easington *g* and *i*, Forcett *d* and *e*, Kirkby Hill *b*, *f* and *i*, Kirklevington *c* and Ormesby *a*.

The use of red stone may conceivably have been adopted in ruder times to supersede painting. It is possible that some of these monuments were coloured, as many mediæval sculptures were. In Kirklevington *aa* and Stonegrave *c* there seem to be traces of paint, in both cases red. The patina which still makes many of these old and exposed surfaces weatherproof may be artificial, and perhaps the result of painting. We know that boats of the Viking Age were

painted in various colours, and therefore the people of the age must have possessed a damp-resisting vehicle for pigment. We know also that their ornament in MSS. was elaborately coloured, and similar ornament in stone would hardly have seemed to them complete without similar treatment. In Scandinavian museums there are examples of the colour-treatment of interlaced patterns in wood, apparently traditional from early times. This suggests a richness quite in accordance with all we know of the tastes of Anglo-Saxons and Danes before they learnt Renaissance-Classic theories of uncoloured sculpture. This also explains the slight relief and sketchy execution of much work which could never have "carried" or "told" in the open air without colour to discriminate its flat surfaces and shallow ground; and it accounts for the lavish ornament spent on poor material.

#### TOOLING.

It is not always possible to distinguish the tool-marks; the stones are sometimes too far gone in decay. But for the most part it is fairly easy to see whether the work were good sculptor's carving with the chisel, or merely rude chipping of a pattern with the hammer. In certain cases it is evident that a chisel-dressed stone was finished with hacked or picked work, as though a rough outline were preferred, especially when the surfaces were not rounded and smoothed in the style of the finer carvings. This finishing with the pick is sometimes mistaken for weathering; but no one who has a good personal knowledge of the stones can doubt that the pick was freely used, and to intentional effect. The dotted line of some MS. illuminations (*e.g.* Bishop More's Prayer-book, dated by Westwood eighth century) is imitated by lines of pick-marks (*e.g.* Amotherby *a*), and perhaps may have suggested the trick, which is found on a cross with Anglian head and Anglian runes from St. Ninian's Cave (Wigtownshire), showing that it was known in pre-Danish days. But in classing the stones according to their tool-marks, we shall find that picked or hacked work is generally associated with Viking Age pattern, while fine chiselling is found on monuments which have beautifully designed leaf-scrolls and well drawn figures.

The fine chiselling used to give finish with "surface," not merely to outline a form and sink the ground, occurs in the Brompton "cock" shaft, Easby, Hackness, Hovingham, Kirkby Hill impost, Kirkby Misperton *b*, Kirkby Moorside impost, Kirkdale "Ethelwald" slab, Kirklevington "bird" shaft, Lastingham dragon head, crossheads *a* and *g*, and jambs, Masham crosshead *a* (the pillar being too weathered to show cutting), Melsonby slabs, Northallerton *a*, *d* and *g*, Stanwick *a*

and *b*, West Witton slab, Wensley slabs and *c*, Wycliffe jamb and shaft *b*. All of these are of the finer style in design, as well as of good cutting.

The drill has been used with the chisel in Kirkby Hill *f*, Pickhill *c*, Wath *d*, and in the Great Edston dial.

Rough or second-rate chiselling, in which no attempt at "surface" is made (the effect being flat), or in which no attempt at finish is made (the effect being rough), is seen in the Bedale pillar, Brompton hogbacks, Crathorne slabs, Forcett stones, Gilling, Great Ayton, Kirklevington "Hart," free-armed head and saint with wands, Northallerton second head and shaft *p*, North Otterington *c*, *d*, *g* and *i*, Osmotherley *a*, *g* and *d*, Stainton, Stanwick *l*, *m* and *o*, Stonegrave *l*, Topcliffe head, Wath *a*, West Witton *b*, Wensley *i* and Wycliffe bear. These are not so refined in design; some are evidently of the Danish period, as we shall see later.

The chisel and pick are used together in Birkby, Brompton porch cross, Easington dragon shaft, Kirklevington wheel-cross and shaft *v* (with Danish loop-pattern), North Otterington *a* and *k*, Osmotherley hogback and Stanwick "Hart and Wolf" cross. These are all of a quite different class of design from the finely chiselled stones.

Shaped with the chisel, perhaps, but certainly worked with the pick, are Amotherby cross-heads, Bedale shrine-tomb, Brompton porch hogback, Crathorne dragon shaft, Ellerburn stones, Easington hogbacks and heads (the pick work is very clever on Easington *h*), Finghall heads, Kirkby Moorside shafts, Kirkdale *b* and *c*, Kirklevington *c*, *s* and *z*, Levisham slab, Middleton *a* and *e*, Northallerton wheel-heads, Thornton Steward *c*, and Wycliffe hogback. The ruder character of the design is as evident as the rude cutting, in spite of vigour and occasional decorative effect.

Some stones may have been simply worked with the hammer or pick, being nothing more than rough blocks or slabs with a little shallow ornament hacked on them, and then perhaps painted. Such are Croft *e*, Hauxwell lintel, Helmsley hogback, Kirkby Hill *b* and *c*, Middleham dragon, Ormesby slabs, Pickhill *a* and *d*, Sinnington *h*, *k*, *n* and *o*, Stanwick *k* and *n*, Stonegrave *c*, *f*, *h* and *j*, Wath *b*, and Wycliffe ring-plait shaft. Most of these hacked stones bear pattern which is characteristic of the Viking Age.

We have already set up a very definite classification. The finely chiselled stones are also finely designed. The roughly hacked stones rank with Danish motives. It was in the earlier Anglian time that, as we know, stonemasons were brought from abroad to teach English artificers; and the Danes were a people who destroyed churches and

lived in wooden houses, not being stonemasons themselves until they learnt the art from the English. Let us now see what result can be got from a different kind of division, classing the monuments by their types of form.

CROSS-HEADS: (I) FREE ARMS.

Type A. The simplest free-standing head was that in which the form of the whole was contained in a circle, the arms being shaped by cutting out four parabolic spaces. Crathorne *h*, though the arms are not cut free, may serve as a diagram. The upper cross in Spennithorne *b* is of this type, with all outlines curved. Mr. Romilly Allen notes the form as characteristically *Northumbrian*; only in the Spennithorne slab the topmost arm is abnormally large, creating the "Hammerhead" variety, common in Cumberland but not in Yorkshire. Finghall *a* and Kirklevington *g h*, had they been unmutilated, would have been better examples. Crosses of the Anglian bishopric at Whithorn are of this Type A, and bear Anglian runes, fixing their date.

Type B. The lower cross in Spennithorne *b* has the ends of the lateral arms flattened to fit the frame. This is carried further in Wensley *a* and *b*, West Witton *a*, Middleton *g*, and Stainton *b*. This form would be easier to cut than A, and give a rather bigger cross-head from a stone of the same size. Many heads approach this form, having their arm-ends only slightly curved, as Easington *b*, Gilling *a*, Kildale *a*, Kirkdale *b*, Kirkby Hill *f*, Northallerton *m*, and Sinnington *d*; but Northallerton *a* is a good example of Type B in perfection. Already there is a tendency to bevel off the acute angles, to facilitate cutting and to prevent chipping, as in Great Ayton *c d*.

The "Maltese" cross, seen on slabs at Crathorne *b* and *c*, was not used for free heads until late, as Welbury *d*. The rude forms of Forcett *a*, Kirkby Hill *a* and Welbury *c* appear to be unskilled attempts at Type B, though they are seen in Durham and Cumberland also.

Type C. From B, but only in work which shows great care and a high aim, the spatula, created at the ends of the arms by bevelling the acute angles, was lengthened. The curve of the armpits was still kept open and parabolic, and the outline of the arm-ends was naturally and rightly tapered, sometimes with a little concavity. This makes the graceful form of Lastingham *a* and *g* and Masham *a*, crosses of the best workmanship. The form must have been so risky and difficult to cut that the arms were shortened and the armpits contracted when the carvers became lazier or less skilful.

Type D. The easiest step would be to shorten the *lateral* arms, so that the topmost arm remained long; thus a tall head could be got out of a narrower stone—a great advantage to the mason, as Amotherby *b*, Sinnington *c* and Wath *a*.

The final form has small circular armpits and broad equal arm-ends, straight at the extremities but sometimes bevelled at the sides, as in Kirkdale *a*, Osmotherley *g*, Great Ayton *a*, Easington *c*.

Now the Keills, or West Highland type, is this Type D cut from a broad slab, with small circular armpits and big oblong arm-ends; a late development out of these North English crosses. It must not be forgotten that the crosses now seen at Iona are hundreds of years later than the time of St. Columba, or even of the Anglian church.

#### CROSS-HEADS: (2) WHEEL-HEADS.

By the addition of a ring, wheel-heads were formed from the above types, excepting C, which did not lend itself to that kind of elaboration. If simpler forms are earlier than complex, then free heads are earlier than wheel-heads, and the Northumbrian type is the parent of all crosses.

Some of the North Riding wheel-heads have the usual piercing of a four-holed cross, but some are not pierced.

|                       | Disc not pierced.   | Disc pierced.  |
|-----------------------|---|--|
| Type A with wheel ... | Topcliffe   | Brompton <i>j</i><br>Stonegrave <i>a</i>   |
| Type B with wheel ... | Finghall <i>c</i><br>Gilling <i>f</i><br>Kirkby-in-Cleveland<br>Stanwick <i>g</i>           | Gilling <i>b</i><br>Brompton <i>l</i>  |
| Type D with wheel ... | Ellerburn <i>a</i><br>North Otterington <i>a</i><br>Amotherby <i>a</i><br>Brompton <i>e</i> | Kirklevington <i>a</i><br>Middleton <i>e</i><br>Kirkby Moorside <i>a</i><br>Thornton Steward <i>a</i><br>Thornton Steward <i>b</i> |

From forms like Brompton *e*, where the disc is reduced to lowest terms, may have come Kirklevington *c* and Middleton *a*, where the quadrants of the circle are replaced by four cylinders; evidently a late invention.

Now comparing these lists with the plates, it will be seen that in nearly every case free arms are associated with more symmetric and correct design and the fine style of carving; whereas the wheel-heads nearly always are ornamented with the looser design and ruder cutting which we have seen to characterise the Viking Age. Sometimes the styles overlap, as at Gilling, where there is both a free head and a wheel-head, with the spine and boss, or *lorgnette* pattern, developed from a superimposed cross, as at Stainton *b*, Wath *a*, and the five bosses with rings as seen in Amotherby *b*. The *lorgnette*

occurs also at Great Ayton in a free-armed cross with well-cut crucifix, at Northallerton on a finely-cut head, and at Forcett on a rudely designed but neatly chiselled stone. A variant is seen at Stainton. The *lorgette* in Cumberland is common, derived from a cross at Carlisle, which in turn is copied from Northallerton *a*. The pattern is therefore Anglian, surviving into the later period.

The centres of cross-heads usually bear bosses or rings, or both, unless the space is occupied by a crucifix. The raised boss or crucifix may be generally taken to indicate the front, and the flat circle the back, of a cross. Square forms are seen in cross-head centres at Brompton *e, j* and *l*; interlaced bosses at Gilling *b*, Lastingham *b*, Masham *a*; rosettes at Great Ayton *a* (8 petals), Lastingham *b* (24 petals), Middleton *g* (16 petals); rings with pellets at Kirkby Hill *a, f* and *h*; rings with pellets interlaced and *lorgette* at Northallerton *a* and *c*. There is a socket to hold a gem or glass bead at Lastingham *a*, Middleton *g*, Osmotherley *g*, Wensley *a*; and a merely vacant space at Stonegrave *a*. These details are not without importance in classifying.

As the wheel-heads are associated with the later style of ornament and cutting, it seems that wheel-crosses were later in use here than free-armed crosses. They may have been introduced from Ireland, either by the natural spread of a picturesque fashion, or by the intercourse of York and Dublin in the tenth century Danish period.

#### SHAFTS.

Some cross-shafts are square or circular in section; others are thin for their breadth, like the stopes used for gate-posts; and between the two extremes there are various forms. It is obvious that skilled masons and quarrymen would be needed to win sound and thick stones, whereas slabs can often be picked up without much trouble. In fact, slab-shafts characterise the Viking Age crosses of the Isle of Man, Cumberland, and the shores of the Irish Sea generally, in which parts building was rude and unskilled; while thick stones occur in districts where the early civilisation included good stone architecture, or in places like Ruthwell and Bewcastle, where some special cause brought skilled masons to the work.

In the North Riding we find that the finer class of design and cutting is associated with shafts of which the section is quite or nearly square, at Cundall, Hackness, Northallerton *d* and Wycliffe *b*; the Masham shaft is cylindrical. Easby and Brompton *f* are thick stones. Wensley *c* and *f*, however, are thin for their breadth; but as they have no carving on the reverse, they may possibly be recumbent

monuments, like the stones at Melsonby. At Bedale is another cylindrical shaft or pillar. Gilling *f* and Stanwick *i* are shafts of the Cumbro-Mercian type, cylindrical beneath and tapered into square section above, like the Gosforth and Penrith crosses in Cumberland; also at Middleton and Gilling are shafts with raised bands or offsets, which in Cumberland are seen connected with Viking Age ornament. Crathorne *d* is of this type, and nearly square in section; Kirklevington *v*, Pickering and Wensley *i* are also square, and exhibit Viking Age work. But most of the Viking Age stones are thin, such as Easington *d* and *i*, Kirklevington *l* and *q*, Lastingham *l*, Middleton *e*, Pickhill *d*, Stonegrave *a*, and Wycliffe *f*.

To sum up the result of this analysis, it may be said that we have (A) thick stones with fine carving, (B) thin stones with rude carving, and (C) thick stones with rude design, better carved; though this classification is not exhaustive.

A curious form of ornament at the neck of a shaft, where a ring is supposed to go through the arris, as if to clamp the head on, is seen at Brompton *h*, Kirklevington *v*, Northallerton *p*, Wycliffe *g*; these are stones of various periods, but, like the bear-hogbacks, they show the influence of Brompton as the centre of a spreading fashion in art.

#### RECUMBENT MONUMENTS.

(1) Grave-slabs may have been coffin-lids such as must have fitted the "Saxon" rock-graves at Heysham (Lancashire), while other forms may have simply marked the place under which a burial was made. They are found with Anglian lettering at Wensley (*a* and *b*); another has been removed from Yarm; and those of the Durham district are well known. The two stones Wensley *d* and *g*, as already suggested, may have been recumbent, like the Melsonby stones. The Spennithorne slab bears crosses of the earlier Northumbrian type, seen again in the West Witton slab. At Crathorne are two slabs with "Maltese" crosses, apparently late; all the preceding being of the fine style. Levisham slab has an Irish-Scandinavian dragon. Some other stones, built into walls and not determinable, may be slabs; those at Middleton and Stainton have Anglian crosses, Ormesby *a* and *b* are rude, and the Middleham stone is apparently of the Viking Age. The Barningham slab is missing.

In a word, grave-slabs are found of all periods and styles.

(2) Shrine-shaped tombs are known in various parts of England with pre-Viking ornament. At Easington is a house-shaped stone, with tegulæ on the roof, but the ridge is broken off. At Yarm is the remnant of a tegulated stone. On Bedale *b* the figures resemble



an Anglian Virgin and child at Dewsbury, though the work is rude, and the open interlacing is of late character. At Oswaldkirk are two stones, which may be part of shrine-tombs or of hogbacks, both with rude work. Stonegrave *c*, *d* and *e* are too mutilated to show their full shape.

(3) Hogbacks are shrine-tombs with curved roof-ridge. While shrine-tombs are not uncommon in the South of England, hogbacks occur only in the North, and in a few places in Scotland where non-Celtic settlements appear to have been made, and in Cornwall. One stone, Crathorne *a*, is an exception to the rule that hogbacks show characters of the Viking Age; this is presumed to be a hogback because there is another stone at Durham like it, but tegulated. On the other hand, there is a curved-topped lintel at Lastingham, suggesting that the Crathorne stone may have been meant for a lintel. In any case, it is not of the first period, though its ornament is derived from the Anglian scroll and plait.

In a paper on the Early Christian monuments of the Glasgow district (read November 9, 1900), Mr. Romilly Allen traces the evolution of the hogback from Christian sarcophagi of the third century in Italy, made in imitation of roofed buildings. The hogbacked ridge, he says, appears to have been copied from the roofs of buildings actually so constructed in the eleventh century. The bears, he suggests, may have been borrowed from the Scandinavian art of the period.

Brompton is the great centre for hogbacks; there are five in the church, all with bears, and five more at Durham from Brompton. Bears occur at Ingleby Arncliffe (stone now at Durham), Lastingham, Osmotherley, Pickhill (two examples), Wycliffe (two examples), and Stainton—all within comparatively short distance of Brompton. But the idea was also carried to Heysham (Lancashire) and Lowther (Westmorland), though it is not found in Cumberland, where the hogbacks are of a different type, probably owing to the fact that the population was not Anglo-Danish, but Irish-Norse. The bear is found also at Hickling, Notts., and Lanivet in Cornwall—a fact of much interest in connection with the distribution of Viking Age settlements. It should be noted that hogbacks are not Celtic; they are Anglo-Danish and Norse, evolved from English shrine-tombs.

#### ARCHITECTURAL FEATURES.

Some stones, still used in the fabric of churches, cannot be rightly judged at present. Kirkby Misperton *b* may be a shaft or a bit of architectural work, as seen at Ripon; Hauxwell *e* may be a split shaft;

and a few others are doubtful. But several stones are certainly parts of fine churches now entirely vanished, and sometimes unrecorded. In this way the archæology of our subject may help to rewrite the history of a dark age.

(1) Lintels. At Lavingham is a low-curved lintel, already mentioned in connection with Crathorne *a*; compare the dragon lintel at St. Bees (Cumberland). The Hovingham stone may be lintel, altar-front or reredos; compare the altar-front at Chur (Switzerland).

(2) Imposts, etc. The Hackness impost is probably post-Conquest. The Kirkby Hill impost is *in situ*. Kirkby Moorside *d* is a fragment of a fine church of the good period. Stanwick *a* and *b* are curious stones, with the composite or random animal-drawing affected by Anglo-Saxon art, and not like the wooden wyverns of Lavingham.

(3) Jambs. Lavingham *p* and *q* and Wycliffe *h* are fine specimens of the early Anglian type of ornament. The scroll on the first named is not quite like the grape-scrolls on any of our cross-shafts, and may have been carved by a foreigner.

(4) Pillars. Masham and Bedale cylindrical shafts may be parts of a building, and not supports of cross-heads; though this is uncertain. We have no other examples of cylindrical cross-shafts ornamented down to the base, though there is a very curious semi-cylindrical cross-shaft, with part of the head remaining, and fully ornamented, at Kirkby Stephen (Westmorland).

If these may be taken as evidence, there were fine stone-built churches at Lavingham and Kirkby Hill (where other evidence is clear), at Hovingham, Kirkby Moorside, Masham, Stanwick and Wycliffe (all of the best period), perhaps at Kirkby Misperton (where the inscribed stone gives further evidence, though of doubtful date), Bedale (where the crypt supports the inference, but the pillar seems to be late in the Anglian period), and Crathorne (resting on the supposition that the stone *a* was a late Anglian lintel). All these seem to indicate churches built before the Danish invasion; the next series gives eleventh century dates.

(5) Dials. Kirkdale dial is dated by its inscription 1055-65; the dials at Great Edston and Old Byland, in the same neighbourhood and in the same style, bear Anglo-Danish names, and must be of the eleventh century, though we know that Kirkdale Church was much earlier, and only *restored* in that period. A small dial at Sinnington may be of any age. The Skelton dial seems to be eleventh century.

At the coming of the Danes it is certain that fine architecture was stopped. The hogbacks, imitating houses in wood-and-wattle, would be enough to show this. For instance, Brompton *a* seems to

show the low-arched doorway into such a house, while Brompton *b* shows the tiled roof and walls of post-and-wattle. We also know that near Carlisle in the eleventh century there was a wattled church. The revival of the arts, begun under King Edgar in the South, must have taken some time to reach the North of England, where the period of fine stone building must have been from about 650 to about 850, declining after 800, and ceasing after 867. With the year 1000 or thereabouts there was some revival of church building, but no definite indications of this can be gathered from our series of stones until we come to the dials, about the middle of the eleventh century.

Two of our monuments represent arcades. The Masham pillar shows capitals to the arches; in the Hovingham stone there are none. From this it is not safe to infer a difference in the age of the two carvings, because the practice or fancy of tombstone carvers seems to have varied. The Dewsbury Anglian shrine-tomb, the Peterborough "Hedda's tomb," Hornby shaft-base, and the Hoddam stone give capitals or imposts to the arches figured on them. But at Bishop Auckland (with figures like those of Hoddam), at Bewcastle, and at Heysham (in the churchyard shaft) the arches spring out of the pillars without interruption. In the late tenth century shaft at Nunburnholme there are no capitals, while on the Halton churchyard shaft (eleventh century) some arches have indications of imposts and some have none. In the Bakewell cross there are triple grooves like branch-bindings in scrolls, taking the place of capitals. The MSS. of all pre-Norman dates represent capitals to arches, and their occasional omission by carvers seems only to argue carelessness or freedom of treatment.

#### INSCRIPTIONS.

(1) Anglian. At Wensley are single words of early Anglian date. At Hackness, long inscriptions in Anglian Latin, and in Anglian runes. At Hauxwell the "St. James" inscription, and at Kirkdale the "Ethelwald" inscription, are not to be seen. The Yarm inscription is at Durham, and the Wycliffe inscribed stone is no longer at Wycliffe.

(2) Late Anglo-Saxon. At Kirkby Misperton a mangled epitaph, apparently quite late. The three dials at Kirkdale, Great Edston and Old Byland, eleventh century. From Skelton has been removed a stone with Anglian uncials and Scandinavian runes.

(3) Scandinavian. The Skelton stone, and one at a neighbouring site, Thornaby-on-Tees, are relics of the Danes in Cleveland.

The ornament associated with these inscriptions is noteworthy. At Wensley we have Anglian crosses and animals carved in the fine

style; at Hackness Anglian scrolls, interlacing, and beasts, cut before the nunnery was destroyed by the Danes, giving us fairly definite data for the placing of ornament related to these types.

We now are led onward to the examination of the subject-matter of the ornament—the human figures, animals, scroll-work and plaits found on these sculptures.

#### FIGURE SUBJECTS.

Adam and Eve. At Pickhill and Wath may be rude variants of a subject seen also at Dacre (Cumberland), Bride (Isle of Man), and Iona. But there is a conspicuous absence of the Old Testament subjects common in Scottish and Irish crosses, which must be remembered in estimating the amount of Celtic influence felt in pre-Norman Yorkshire.

The Annunciation, and possibly the Salutation, occur at Hovingham, as at Ruthwell, but later in style.

The Nativity is perhaps seen at Bedale, imitated later from Dewsbury. It is a common subject, as at Sandbach, etc.

The Virgin and Child seem to be represented at Oswaldkirk.

St. John and Agnus Dei may be the subject of Forcett *e*, and possibly Stanwick *n*, though very rudely drawn.

The Lamb with the Holy Dove descending on it may, though the suggestion is offered with great hesitation, explain the rude figures of Stonegrave *c*.

St. John Evangelist is perhaps meant by the figures with wings in Brompton *h*, Crathorne *g*.

An Evangelist of Irish type occurs on the Irish-looking cross at Stonegrave.

Four Evangelists may be intended in the four middle panels at Hovingham.

Christ and the twelve Apostles, on the Masham pillar, top row; Christ in ascension, on the cloud; the Apostles on each side looking towards Him.

Christ bearing the Cross is shown at St. Andrew's, Auckland, by a nimbed person carrying a long object at the height of the middle of his figure, and two taller figures on either side. This reappears in Spennithorne *a*. But the two figures with hands bound to their sides in Kirklevington *w*, and again in Middleton *d* *one* figure so bound, suggest a reference to the subject illustrated in the Boulogne Psalter, "Bind their kings with chains and their nobles in fetters of iron," though the idea seems far-fetched. We have, however, to consider what subjects were usual in the period; those which became common in later mediæval art do not help us much in this early series.

There is a shaft (No. 40) at Durham from Gainford with three figures, whose hands seem to be bound across at middle height; this may be a step between the Auckland and the Spennithorne stones. Then, again, the Kirkby Stephen Bound Devil and its analogues at Great Clifton (Cumberland), etc., may explain the single figures with hands bound, as Stanwick *o*.

Crucifixes are shown in various degrees of rudeness at Finghall, Great Ayton, Kirkdale, Kirklevington (two), North Otterington, Sinnington, Stanwick, Thornton Steward (two).

Longinus appears with an (intentionally?) ugly head in the Irish stone at Castleton (Isle of Man) and with a *beast's* head in the bronze of the R.I.A. (Westwood, *Min. and Orn. of Irish and Anglo-Saxon MSS.*, plate 51.) In a late pre-Norman crucifixion at Lancaster he wears a beast's head. The idea is derived from or confused with the swine's heads on which Christ stands on Bewcastle cross and elsewhere. At Kirklevington *d* we have a pair of swine-headed figures under the cross, and again a pair of beast-headed figures in the same position in Kirklevington *l*.

The sponge-bearer, opposite Longinus beside the cross, perhaps explains the figure at West Witton. At Sinnington *g* and Stainton *a* are pairs of figures under the cross, which may be Longinus and the sponge-bearer, or Mary and John, as often elsewhere.

Christ in blessing with the bread of life: Thornton Steward *b*, as on an Anglian stone at Dewsbury, inscribed IHSXRVS.

Christ in blessing with the book of life: Stonegrave; compare the same subject at Bewcastle, and Gospels of Trinity College, Cambridge (Westwood, *op. cit.*, plate 42).

Christ in glory, with attendant saints: Easby *g*.

Saints nimbed in prayer: Brompton *g*, Cundall (two).

Saints nimbed: Forcett *c*, Hackness, Melsonby; with the last compare Heysham and Halton (Lancashire).

Saint with wands or palms: Kirklevington *k*.

Story of a saint, showing ordination, 'santa conversazione,' etc.: Masham pillar (two middle stages).

A saint (?): Easby.

Ecclesiastics: Ellerburn *b*.

Figure in boat (?), interlaced with a snake (?): Forcett *d*.

Figure with hand on breast among snakes: North Otterington *i*.

Figure listening (?): Stonegrave *j*.

Figure in kirtle, shoes and helmet, with two birds, perhaps a portrait: Kirklevington *y*.

Bearded head with helmet: Middleton *e*.

There is an interesting variety in types of faces. Associated with the fine style of carving are round, well filled faces, as if derived from Roman models: Easby *a* and *g*, Cundall, Brompton *h* and *g*, Melsonby; the Masham figures also seem to have been of this type. In some ruder stones we see the round face, as North Otterington *d* and *i*, Sinnington *d*, Stanwick *h*, *n*, *o*, Stonegrave *a*, *j*, Thornton Steward *a*, *b*, where Christ is still youthful and beardless, according to the pre-mediæval ideal. This round face wears a pointed beard in Melsonby *d*, and apparently a moustache without a beard in West Witton *b*. In Kirklevington *y* is a very round, youthful face. In Finghall *a*, Forcett *c*, *d*, and Kirklevington *a*, *k*, *w*, are faces of a narrower type. But Ellerburn *b* and Pickhill *d* are remarkable for their broad brows and hollow jaws; seen with a forked beard in Crathorne *g*, Middleton *d*, *e*. The head with forked beard of Kirkdale crucifix has been mutilated, but the fashion suggests the eleventh century—King Svend and Edward the Confessor. A tympanum at Bridekirk (Cumberland) shows a similar beard, and of course MS. illumination has many examples. But a review of these faces leads to the conclusion that in our series of stones the round face accompanies what we regard as Anglian art, while the narrower face is later, and the hollow-cheeked type is the latest.

It was a curious trick of tenth century English miniaturists to draw figures in a shrugging, bowing attitude, perhaps expressing a fashion of politeness, as in Japanese art. From this may have come some of the hump-shouldered figures on the monuments. At Forcett *c* and Crathorne *g* we seem to have angels or evangelist-symbols with wings; but in the Teesdale-Stainmoor district (Gainford, Kirkby Stephen) the round shoulders are very pronounced, and other instances might be quoted from the West Riding and Cumberland. The Anglian ideal rather inclined to a graceful carriage of the head, and sloping shoulders, seen especially on the Hornby "Loaves and Fishes" stone, and in the North Riding at Masham and Hovingham.

Draperies are imitated from two sources, Roman and Byzantine. Easby *g* and "St. Agatha" are very similar, and the lines are as flowing as though their carver had seen, if he was not copying, a Roman relief; Masham and Hovingham draperies are still more advanced, and yet not more so than many in the better MSS. On the other hand, Brompton "cock" shaft has figures of a flat, stiff character, like those found to the north of our district, and suggesting study of Byzantine models. This degenerated with Irish miniaturists and carvers into crudely conventional lines of folds; and here, too, we have something of the sort, though perhaps independently developed (for decadence

needs no precedent) in North Otterington *d*, Thornton Steward *a*, and—lower still—Forcett *c*, *e*, and Kirklevington *l*, *w*. Even with rude carving, however, we find sudden attempts at naturalism; the gentleman of Kirklevington *y* and the mother and child of Oswaldkirk are freshly studied; their carvers looked at nature, as did the inventor of Brompton bears. Every now and then there arose an independent spirit, who put some life into the traditional pattern, and played the Giotto in his narrow sphere.

#### ANIMALS.

The lamb and bird at Stonegrave have been noticed. In Cumberland the lamb in conventional representations (as the Gosforth "Fishing Stone") is not always distinguishable from the hart, in the subject of the hart and hound (or wolf), supposed to symbolise the Christian in persecution (as at Dacre, Cumberland; Heysham, Lancashire; Kirk Maughold, Isle of Man). The subject occurs also at Burghead (see Mr. Romilly Allen's *Early Christian Monuments of Scotland*, p. 137), and may have suggested the hunting scenes, of which there are thirty seven on Scottish monuments. In our series we have the hart and hound or wolf at Kirklevington *i*, Melsonby, Stanwick and Wath; the hart alone at Stanwick, the hound alone at Stonegrave, on broken stones.

Bears are figured on the hogbacks already mentioned. At Kirkby Hill are two rude scratches of beasts and at Forcett three clumsy animals like pigs, which are linked up by the three beasts on a cross-head at Cropthorne, near Evesham (apparently by a Northumbrian carver?), with the lions or griffins of Hackness.

Birds. The fine falcon at Easby and the fowls at Brompton and Kirklevington *z* are fairly naturalistic. The cock is seen also at Lowther (Westmorland) and Michael (Isle of Man) on late stones.

Fish perhaps may be inferred from the tail on Kirklevington *j*.

Snakes occur at Lastingham, Birkby and North Otterington. A peculiar coiled snake is repeated at Crathorne *e*, Wensley *l*, North Otterington *k*, Stanwick *n* (two), and at Kinnell (Scotland). There are no snakes on stones of the finer Anglian type.

Dragons of the kind often seen in MSS. and metal work, and all associated with work of the later time, are at Crathorne, Ellerburn, Easington, Gilling, Middleham, Levisham, Pickering, Pickhill, Sinnington. The eye points backwards in Crathorne *e*, Ellerburn *a*, Kirklevington *r*, Pickhill *h*, and forwards in Gilling *d*, Sinnington *f*; it is round in Easington *f*, Levisham *b*, and Stanwick *i*.

There are no beasts biting their necks, as seen on Cumbrian stones, and none of the savage strength of true Scandinavian monsters.

With the finer Anglian work is associated a more graceful type of monster; the grotesques of Croft, Cundall, Easby, Hovingham, Melsonby and Masham have birds and fanciful animals among scrolls of leaves and fruit, prettily designed, with flowing lines and rounded surfaces. The animals are sometimes deer-like, sometimes winged griffins with elongated necks, as at Masham and Wycliffe. The same feeling for grace of form which characterises all the work we have called Anglian, determines the design of these figures, whatever be their origin and date.

Certain wilder fancies must be noted. At Stanwick *a* and *b* are curious composite birds with arrowheads in their mouths, from which one infers that they are meant as dragons. At Wensley *a* are dismembered birds and dragons, together with Anglian crosses and inscriptions. At Brompton *f* is a very strange pair of composite creatures, each with one leg like a horse's and the other ending in a bird's head (compare Stanwick *a* and *b*), and a sort of pine-cone head on a queer crustacean body. These are in the spirit of Anglo-Saxon art; there are many examples in MSS. (see Westwood *op. cit.*) and in metal work (see a paper by Mr. Reginald A. Smith in Proc. S. A., 1904, Feb. 18).

In the Victoria and Albert Museum (South Kensington) is a plaque of ivory (254—1867), bearing on one side a design of birds and animals among interlacing scrolls, and described as Oriental of the ninth century. This is identical in character with the work on Cundall shaft and others of that kind in our series, though hardly so graceful and refined. The same plaque has on the other side a Carolingian *Ascension* (tenth century). The original source of the style is doubtless Eastern, but the stones at Croft, Cundall, Easby, Masham, Melsonby and Wycliffe were surely carved in Yorkshire; and the Ormside Cup at York Museum, if the *repoussé* plates were brought from abroad, shows how the style was introduced. It was retained, and gradually degenerated or transformed as time went on and tastes altered; one sees the development in Easington *d*, Gilling *d*, Levisham *b*, Sinnington *f*, Stanwick *i*, and it is surely a reasonable solution of an important question to infer that the dragon-scroll came to Northumbria in the seventh century from the south-east of Europe, and was naturalised here, spreading from Northumbria to the west and north, and producing the whole brood of Irish and Scandinavian worm-twists. Let us examine our instances of scroll-work, taking first those which contain the animals we have just mentioned.



## SCROLLS: (1) WITH ANIMAL FORMS.

Croft *bcd*; symmetry intended but very freely treated, forms almost naturalistic and yet severely designed; some branchings, but not all, tied up as if with cord holding an artificial wreath together; a little interlacing, some of the leaves pierced by branches.

Easby *cdef*; more conventional; the boughs are double-strand straps, leaves and berries less natural, design less symmetrical; the binding in *e* is a sort of ingenious double-whipping, while it is absent in *d*.

Wycliffe *d* resembles Croft and Easby in the bird eating fruit; the scroll severe, but with a big flower in the spiral, and large bindings; the side *b* is symmetrical, with thick stems and perhaps branch-bindings worn away.

Hovingham seems to have had bindings to the two branchings at the dexter end; the rest are very weathered; animals and birds particularly graceful.

Cundall has leaves, berries and big flowers, as well as a series of conventional trees on the north side. The animals are still further conventionalised into more graceful lines. Branch-bindings absent or weathered away. Note the pellets and the angularity of interlacing and panelling, as a later development.

Melsonby *c* has still wilder animal forms, stems thick, knops and leaves clumsy.

## SCROLLS: (2) WITHOUT ANIMAL FORMS.

Melsonby *ab* seems earlier work than *c*, though like it. Simpler scrolls are Lastingham *p*, severe and leafless vine, and Kirkby Hill *d*, where the apparent vine-leaf may be weathered remains of leaves and berries; real vine-leaves do not occur in this series.

Kirkdale *d*, with berries and leaves.

Hackness *a* and *b*, bunches of berries and budding leaves; the last is a kind of amphisbænic scroll, joined in the middle by a long wreath-ribbon.

Northallerton *def* is more complex; still symmetrical but rich in design.

Masham *a*, still symmetrical but more intricate, the stalks making the pattern.

Wensley *cde* and *fgh* not unlike the last but no longer symmetrical; double-whipping at the branchings.

Easby *e* has bindings and double-strap like the last.

Brompton *i* like Masham *a* in the use of the stalk and like Easby *d* in effect of curvature; branchings not tied up.

Stanwick *c* is a very different scroll; the curves are more bent and the big flowers and buds show an attempt at strong effect. No bindings.

Crathorne *a* shows the scroll degenerated to mere spirals, as it became to still greater extent in Cumberland.

#### KEY-PATTERNS, ETC.

Unlike Celtic monuments, those of the North Riding show very little in the way of key-patterns. Northallerton *g* has the only good piece of diagonal fret (see Mr. J. Romilly Allen, *Early Christian Monuments of Scotland*, quoted below as "J.R.A.," Fig. 965).

Stanwick *l*, *m* show debased diagonal fret, which we may call the Frog-pattern.

Stonegrave *b* has two spaces of poor diagonal work, the uppermost being a kind of Swastika (J.R.A., 1009, found also in Scotland, Ireland and Wales).

Stonegrave *c* has a panel of similar ornament.

Step patterns (J.R.A., 887) are seen in Crathorne *e*, Kirklevington *a*, *b*, Lastingham *n*, Osmotherley *f*, and possibly Easington *d*, where the bit of ornament may be a twist treated rectilineally.

The TJT pattern is seen at Crathorne *e*, Lastingham *e*, *n*, and Thornton Steward *a*, *b*.

The battlement pattern occurs in Kirkby Hill *b*, Lastingham *l*, *o*, and scratched lightly with angles lost at Ormesby.

All the above are familiar on Celtic crosses; these few examples in the North Riding are on Viking Age stones, and may have come in under tenth-century influences, except the Northallerton fret, which, though fragmentary, seems to be early work.

The Greek fret (J.R.A., 891) occurs in Old Byland dial.

The chevron is seen at Northallerton *c*, *d* (early head and shaft), Crathorne *c* and Ormesby *b* (late slabs), and Lastingham *l* (late cross).

A scratched border of XXX surrounds the Anglo-Saxon inscription at Kirkby Misperton.

Cable mouldings are found on Bedale pillar, Brompton shaft *f*, Crathorne slabs *b* and *c*, Easby shaft *b* and *e*, Lastingham shaft *c*, great crosshead *g* and shaft *l*, Middleton *c* and *e*, Stanwick *i*, Stonegrave *c* and *e*, Wensley *k*, Wycliffe *e*. The moulding in Wycliffe *k* is not cable, but ovals laid together. It is sometimes said that all cable moulding is late, but here we have it on every kind of monument.

## PELLETS.

Mr. Romilly Allen (*op. cit.*, p. 53) says that in Scotland pellets indicate a late date, and perhaps Anglian influence. We find them filling rings in cross-heads, Northallerton *a* and *c*, and Kirkby Hill *a, f, h*; and filling panels at Cundall.

They fill spaces of ground left by figures; Finghall *a*, Kirkby Hill *a, h*, Kirkby Misperton *a*, Kirkdale *a*, Middleton *d, e*, Thornton Steward *b* (where they may mean the wafers or bread of life), Wath *b* (perhaps apples), and Wensley *l*.

As ornament, in rows, at Brompton *c, f, l*, Wycliffe *h*.

In a scroll, Crathorne *a*.

In plaits at Birkby, Crathorne *f, g*, Croft *f*, Ellerburn *a*, Finghall *b*, Kirkby Hill impost, Kirkdale *c*, Kirklevington *q*, Lastingham *c d e f, h*, and *p* (where they are scattered grapes), Levisham *a*, Middleton *a, b*, Osmotherley *d* (in chain plait), Oswaldkirk *b*, Sinnington *i* (in a regular ring-plait) and *c, f*, Stanwick *k*, Stonegrave *l, n*, Wath *d*.

From this review, it appears that pellets were used by the carvers of the fine designs as berries (Lastingham), or in rows as a moulding, or as subordinate cross-bosses (Kirkby Hill and Northallerton), and finally to ornament geometrical panels; but never to eke out ill-drawn plaits. Then in later and less natural scrolls they take the place of leaves or flowers (Crathorne), and finally they are used as a means of filling vacant holes left by loosely designed interlacing.

## INTERLACING.

The mere plaits, forming continuous patterns of three or more strands, do not call for special notice. The triquetra on cross-heads and filling spaces is omitted as too common to be distinguishing. The knots are of some importance, for, as Mr. Romilly Allen has shown by his analysis, there are certain knots peculiar to certain styles or schools. In the following list they can be identified from the figures in his great work, already quoted by his initials.

\*Croft *a*, J.R.A., 586; he gives also Thornhill, Closeburn, Otley, B.M. Harl. 2788.

\*Cundall, unique, but belongs to same class as J.R.A., 582.

\*Easby *b*, J.R.A., 668, but with extra cord at each side.

Easington *e*, J.R.A., 568; common.

Easington *i*, the carver has lost his head, and tried to correct.

Forcett *b*, the carver has given up all attempt at sequence.

Gilling *j*, J.R.A., 566; common.

Hackness *c*, J.R.A., 533; common in Anglian districts.

Hauxwell *a*, J.R.A., 658, but upside down; he gives Durham Cathedral, Ilkley, etc., and Irish MSS. The plaits on *b* and *d* are akin to that on *a*, *b* having a ring in it.

Hauxwell *c*, a loose plait of the later age.

\*Ingleby Arncliffe *b*, J.R.A., 583, with an instance at York; "a most remarkable pattern," he says; it is like a knitting-stitch. In his notes on the proof, Mr. Romilly Allen says:—"This occurs also on the metal mounting of the small Saxon wooden bucket from Farthing Down near Caterham, now in the Town Hall, Croydon (see *Victoria County History of Surrey*). The pattern is entirely made with one cord, which at first sight would seem impossible. The cord of the Eskimo *bolas* is looped up in the same manner exactly, so that when released the loops all come undone at once (see *Handbook of American Indians*, Smithsonian Inst., Washington, 1907, vol. i., p. 158)."

Kirkby Hill *e*, J.R.A., 711, like Meigle 5, and Ilkley.

Kirkby Hill *f* and *g*, indeterminate.

\*Kirkby Misperton *b*, like Stonegrave *n*; not in J.R.A. (Mr. Romilly Allen says: "The curves being S-shaped, the pattern cannot be derived from a plait.")

\*Kirkby Moorside *d*, not in J.R.A.

Kirkby Moorside *c*, a rude pattern.

Kirkdale *b*, very rude, and broken.

Kirklevington *g*, unusual, with pellets.

\*Lastingham *b*, J.R.A., 793, with no analogue.

Lastingham *c*, open plait set askew.

Lastingham *g*, J.R.A., 601; common.

\*Masham *a*, in ring; not in J.R.A.

\*Melsonby *a*, J.R.A., 588, with no analogue.

Melsonby *c*, J.R.A., 646, but alternated.

North Otterington *c*, *e*, J.R.A., 519; Irish and Scottish.

North Otterington *f*, J.R.A., 512; at Stanwick. Mr. Romilly Allen notes that this alternation of ornament and blank spaces has several parallels in illuminated MSS., and also on the cross at Barrochan, near Glasgow, but otherwise it is uncommon.

North Otterington *h*, J.R.A., 601; common.

Osmotherley *c*, J.R.A., 601; common.

Sinnington *h*, J.R.A., 601; common.

Sinnington *e*, common figure-of-eight.

Spennithorne *b*, at top, J.R.A., 568; common.

Spennithorne *b*, eared plaits at sides of cross are peculiar.

Stanwick *d*, lower half, J.R.A., 573; also rarely in Scotland and Wales.

\*Stanwick *e*, J.R.A., 512, as at North Otterington.

\*Stanwick *j*, not in J.R.A.

Stonegrave *a*, J.R.A., 543; his examples are St. Andrews No. 1. this stone, and the Irish Gospels of St. Petersburg, later half of ninth century (Westwood, *op. cit.*, p. 53).

Stonegrave *k*, J.R.A., 601; common.

Stonegrave *f*, J.R.A., 513.

\*Stonegrave *l*, J.R.A., 564, without analogue.

Stonegrave *n*, something like J.R.A., 620 or 629.

Thornton Steward *c*, rude and without sequence.

Wensley *k*, apparently figure-of-eight.

Wensley *m*, rectilinear.

West Witton *a*, J.R.A., 346 c; he gives analogues in Durham, Staffordshire, Lancashire, Pembroke, Scottish and Irish metal-work, Stockholm Gospels (before 850), Psalter B.M. Vesp. A. i. (seventh century?) and Bæda, B.M. Tib., c. ii. (eighth century).

Wycliffe *c*, variant of J.R.A., 566.

Wycliffe *h*, J.R.A., 568; common.

Now some of these are the common rudimentary forms seen everywhere; some are ordinary forms treated in a peculiar way; while a large proportion, those marked with an asterisk, appear from Mr. Romilly Allen's analysis to be unknown to the Celtic monuments of Scotland. If they appear in Scotland, they are in Anglian or Viking districts. From this it must be evident that the Yorkshire carvers of the finer work, which we have seen reason to place early in period, and now find to have the greatest quantity of non-Celtic knots, were not imitating Celtic models.

On the other hand, on ruder monuments only, there are patterns which are always held to be late, namely the chain and ring-plaits. These do not occur in the finely carved work we have called Anglian.

Ring-plaits are at Brompton *j*, Crathorne *d*, Croft *e*, *g*, Forcett *a*, *c*, Gilling *b*, *c*, *d*, *e*, Hauxwell *b*, Kirklevington *n*, *z*, Middleton *a*, *b*, *f*, Northallerton *l*, Osmotherley *a*, Pickering *c*, Sinnington *i*, *j*, *m*, Stainton *a*, Stanwick *d*, *k*, *n*, Welbury *b*, Wycliffe *f*, *g* (J.R.A., 575, as at Aspatria, Cumberland; Market Deeping, Lincolnshire; Stapleford, Notts.).

Plait made of rings only, Stanwick *f*; J.R.A., 581, with analogies at Rothesay and Maen-y-Chwyfan.

In Croft *e f g* these rings are associated with the well-known and distinctive Scandinavian chain-pattern, seen also at Kirkby Moorside *b*, Kirklevington *p*, and Osmotherley *d*.

Another Scandinavian pattern is J.R.A., 551, seen in Kirklevington *x*, Northallerton *n* and Pickhill *f*; as on Leeds cross, on which also is seen the bifurcated cord of Spennithorne *b*, again a Scandinavian motive.

Therefore, while the finer Anglian work has its own peculiar knots, work of the Viking Age can be distinguished by its patterns; and stones analogous in general form, subject and technic to either class must be assigned to the period before or after the Danish invasion.

A further step in interlacing was taken when the knots became looser, showing more ground, but without the symmetry of the Anglian design. Such work is seen on a Viking Age cross at Lancaster, and occurs on Kirklevington *s*; which is a clever adaptation of the merely loose plait-work seen on Ormesby *h*, and becoming acutely angular. When the curvature was altogether lost, as in Wensley *m*, we get to the last stage. It has been remarked that the earliest interlacing is wholly curved, and that angularity gradually crept in, resulting in strongly angular forms at the end of the period. None of our stones have interlacing entirely without angles (except a few so rude as to be indeterminate), but those we have classed as early show greater roundness of curve, and those we consider Viking Age get their picturesqueness by striking contrast of curve and corner.

There is one more step in the development to notice—the curious rustication or worm-cast at Kirkby Hill *c* and Wath *c*. Something approaching it is shown in Forcett *b* and in many Cumbrian crosses; while at Burton-in-Kendal there is a rusticated shaft, better done, but simulating the effect of a plait without any interlaced design.

#### MSS. AND THE MONUMENTS.

It is often said, and might easily be taken for granted, that illuminations date stone-carvings; that general ideas and motives of art are the same at any stage of culture, and patterns which serve for books would serve also for tombstones. But there are many difficulties in the way of applying this principle.

Most of the earlier interlaced MSS. contain the Late-Celtic divergent spirals. On our series of monuments there is no trace whatever of this motive. There are spiral scrolls and coiled snakes, but no divergent spirals; that is to say, none of the assumed Celtic influence.

Again, the earlier MSS. make a free use of key-patterns; and we have noted that on these stones key-patterns are extremely rare. Of true key-patterns, there is one instance in 250 different monuments, and only a few of step-patterns, etc., all the latter being late carvings. We are driven to conclude that the Anglian carver of the seventh to the ninth centuries was not working under Irish influence.

In the later period, after the middle of the tenth century, MSS. illuminators almost abandoned interlacing for conventional foliage.

We find hardly a trace of this kind of foliage in our series ; nothing in any way to be compared with late tenth century MS. ornament of broad leaves (acanthus), used without the scroll.

The Carolingian wave-and-dot pattern is never found on these North Riding monuments.

The Scandinavian chain pattern, fairly frequent on the stones here and in Cumberland, is entirely absent, Westwood notes, from manuscripts.

There must have been books at Lastingham, Hackness, Gilling, and other great monasteries, but the stone-carvers did not copy them. The Ormside Cup, on the other hand, has close analogies with the two important monuments, Croft *a* and Northallerton *a*, which seem to be the leading examples of the finest style, from which all the rest evolve, not without influence from abroad at successive periods. It is to relief-work, rather than to manuscripts, that we must look for the inspiration of the sculptors. It is probable, however, that stone-carving was a traditional business, begun by St. Wilfrid's and Benedict Bisop's imported masons, and carried on in more or less independent development, as it is to-day. The art-fashions of the time do not rapidly impress themselves on the monumental mason's yard, and the public is conservative in its tombstone tastes.

The racial question in Yorkshire also must have had much to do with the art question. Few or none of our monuments can be dated before the synod of Streonshalch, and after that time Irish influence was withdrawn, if ever there had been any Irish influence in matters of art, which is doubtful. Then the long peace of Deira was rarely broken until the end of the eighth century ; this allowed Anglian art to develop itself in its own way. With the Danish invasion began a period of new influences, never quite shaken off in Yorkshire until the Norman Conquest. The interlaced work, abandoned in the tenth century by southern illuminators, remained the national art of the North. The Manx, Irish and Scotch kept it long after the eleventh century ; so did the Scandinavians ; and in Yorkshire it must have held its ground after it was abandoned in the South.

With this in view, and using the results of our analysis, we may venture to suggest the groups into which our chief monuments appear to fall.

## A. ANGLIAN SERIES.

There is an eastern group, which shows many features in common. On the Kirkdale "Ethelwald" slab the pattern at the dexter end resembles that at the bottom of Hackness *d*. The simple leaf-scrolls of Hackness *b* are like those of the Kirkdale slab; not far removed from Lavingham *p*. In a degenerate form they reappear in Crathorne *a* and in Middleton *b*. There are no such simple leaf-scrolls in the west of our district.

Socket-holes for jewels are seen in cross-heads at Lavingham *a*, Middleton *g*, Kirkdale *d*, Osmotherley *g*; but in the west only in Wensley *a*.

The same unusual plait occurs in Kirkby Misperton *b*, Kirkby Moorside *d*, and Stonegrave *n*.

Heads of Type C occur in Lavingham *a* and *g*, and in the west only once, at Masham; while all of Type D are eastern.

Hackness inscription fixes the stone as about eighth century; Kirkdale and Lavingham are also pre-Danish sites. Probably at Middleton, Kirkby Misperton, Kirkby Moorside and Stonegrave there were Anglian churches. Farther north, Stainton, Osmotherley, Crathorne and Easington—in that order—seem to have been founded later, but before the Danes; and through all this period the east seems to have been (from these monuments) a self-contained district; though it shows its influence at Masham and Wensley, it does not seem to have received much impression from the west, except at Hovingham.

The western group is richer and more complicated; it lay on the great roads from York and Ripon to Wear and Tyne; it must have been influenced from north and south, and we have seen that it influenced Cumbria. The Northallerton cross *abcdef* is unique in the North Riding, but was imitated at Carlisle before the Danes burnt Carlisle priory (876). By the Ormside Cup this cross is connected with the equally fine Croft stone, which is imitated at Wycliffe, evidently an Anglian church of the finer kind. Wycliffe *h* with its row of pellets, and Wycliffe *d* with its bird, connect with Easby *c* and *e*, in which the climax of the whole school is reached. The artist who carved the Easby Christ could have carved the "St. Agatha."

This Easby cross has features in the branch-bindings in common with Wensley *d* and *g*, and Wensley Church contains the Anglian Donfrid and Eadbereht slabs.

Easby *d* again is related to Brompton *i*, though this Brompton shaft is perhaps earlier, and connected by its figures with the country north of Tees. Easby shows more mature work, reaching a power



of flowing line unseen at Brompton. The style of flowing line is carried further at Melsonby (where the thick stems connect with Masham *a* and Wycliffe *b*) and at Cundall, where the nimbed figure recalls the Easby Christ; the pellets and panels suggest a later date, though not so late as to indicate decline.

The animal on Cundall south side resembles those in the lower panels of Masham shaft; the flowing scroll of Cundall E. connects with Hovingham; and again the arches and spandrils of Masham shaft, and the standing figure with a book, are repeated at Hovingham, where there is an echo of "Hedda's tomb" at Peterborough. Similar graceful figures are found on Anglian work at Hornby (Lancashire).

In all this we have but one development, beginning with an impulse coming from the North, and ending with influence from the South. The development is so continuous that it is impossible to believe that some of these sculptures were executed after the great disasters of the Danish invasion; they must be all of one period and one school, carried forward during an age of peace and prosperity—such an age as the eighth century.

As minor efforts of this period we may class Stanwick *a* and *b*, Kirkby Hill impost, Pickhill *c*, and the West Witton slab, and as decadence came on, the *lorgnette* crosses at Gilling and Great Ayton, the crucifixes at Great Ayton, Finghall and Thornton Steward *a*, gradually degenerating, and the Anglian but decadent cross, Kirkby Hill *fgh*. The Forcett stones appear to be rude and late reminiscences of the type, or work of an unusually unskilled amateur. Bedale pillar and shrine-tomb are late imitations of good Anglian work at Dewsbury and Masham, for what may be supposed to be a ninth century church. Then, with Stanwick *cdef* and North Otterington *cdef*, we come to a transitional art, possibly executed by Anglian carvers already under the Danish conquerors. Even under heathen rule, Christians lived and worked, though no longer able to produce the fine masterpieces of their predecessors; and before long each successive colony of Danes adopted Christianity, and required gravestones, if not stone churches, to be carved for them.

#### B. THE DANISH PERIOD.

After a generation of transitional forms, which may be placed at the end of the ninth century, we find monuments reflecting Danish taste; and because of the close connection of the York kingdom with Dublin, there is now a reason for Irish influence. The execution is ruder, as of people who no longer practised architectural

mason-work. Of this, plentiful evidence appears in the chain-pattern and ring-patterns, the dragons and wheel-heads, most of which are hacked and not finished into rounded surface by chiselling.

The Brompton hogbacks *b* and *c* appear to be among the finest works of this period. The Stainton bear *c* and the Wycliffe bear *a* are good carving, but the Pickhill hogbacks are apparently works of another generation.

The Pickhill hogback *b* has an Irish-Scandinavian dragon, and other dragons are seen at Gilling, Crathorne, Easington, Levisham, Sinnington, Pickering. The Crathorne shaft, by its Evangelist, dragon and key-pattern, is quite Irish in motive, and its coiled snake connects it with Wensley late shaft, North Otterington slab and Stanwick *n*; which last, again, is of the same cutting as the frog-pattern stones near it, linking these with Stonegrave. The great Stonegrave cross has surely a Celtic aspect. All these reflect the lessons learnt in the earlier half of the tenth century; some, however, from their superior mason-work (Gilling offset shaft, for example) indicate an advance in execution, while taste in design was much the same as early in the century.

At the fall of the Dublin-York kingdom (*c.* 950), new influence came from the Midlands into Yorkshire, and seems to be shown in this advanced technic. One proof of it is the round shaft trimmed square above (Gilling, Stanwick, Middleton), which seems to have come from Mercia, and to have been handed on into Cumberland (Penrith, Gosforth). These last have Edda subjects, and are apparently late tenth century. Gilling *l* has a curious device, which may possibly be the Völund wing-wheel, and Völund appears on Leeds cross and at Neston (Cheshire). As to mason-work, we find a series of solid and well-cut stones, much superior to the hacked slabs of Dano-Irish type. Stanwick *ij* has magnificent cutting, though far different from Anglian technic, and it shows low down on the shaft the triangle of plait-work, seen also at Gilling *de*, Brompton *e*, and Lavingham *cd*,<sup>1</sup> the last of which bears the TLT pattern, with pelleted and open plaits, which we have remarked as late characteristics. The wheel-head is going out of fashion; supplanted by the new type of Brompton *e* and Middleton *ab*, with the cylinder in the armpits, seen also at Kirklevington *cd*, with beast-headed figures under the cross.

<sup>1</sup> High Hawsker may furnish another example. Mr. Romilly Allen, in his notes on the proof of this paper, remarks that the treatment of cross-shafts in which the

lower part is left plain, and the bottom of the ornament terminates in a triangle point downwards, appears to be peculiar to the North Riding.

In this series, thus linked together, we can follow the continuation of the Viking Age style during the later half of the tenth and the early part of the eleventh centuries. The stone-carver's art is reviving, stones are more massive (which means, more skilfully quarried), the cutting is more clever and varied, and on its terms the design is more decorative and artistic, though still preserving its northern character among impulses and influences from the South. But there is no room here for such work as the Hovingham stone or the Bewcastle cross. Indeed, we have an example of this period's attempt to imitate the Bewcastle cross in the Sigurd shaft at Halton (Lancashire), and if the development has been rightly described, the Halton shaft is easily understood.

#### C. THE ELEVENTH CENTURY.

In this period dials inscribed with Anglo-Danish names date themselves. Interlacing undergoes new development, becoming more open and angular until we get right-lined plaits like Wensley *m*; it is better cut, as the later part of the century introduces the masons who rebuilt the churches and began the abbeys. No longer hacked but clean chiselled, and intermingled with new grotesques we find it at Hackness in the impost, and in the fonts at Alne and Bowes, where we are already past the era of the Norman Conquest.

In the following pages, describing the stones individually, tentative marks are assigned to some of them, in order to suggest not so much their dates as the groups into which they should be put. It is always possible that a style was anticipated in one place and lingered in another; we have really very few fixed dates to rest upon.

A 1 includes finer Anglian work of the simpler forms and earlier types; say about 700 A.D. and the generation following.

A 2, full development of Anglian art; say about the middle of the eighth century to its close.

A 3, Anglian work in decline, or in ruder hands, but not yet showing Danish influence; early ninth century.

B 1, Transitional; such as Anglian carvers might have made for Danish conquerors; late ninth century.

B 2, Anglo-Danish work, showing Irish influence; early half of the tenth century.

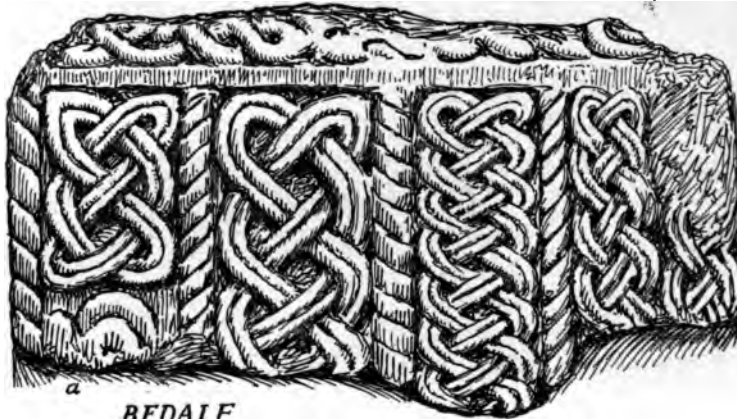
B 3, Anglo-Danish work, with Midland influence; later part of the tenth century and beginning of eleventh.

C 1, eleventh century, pre-Norman.

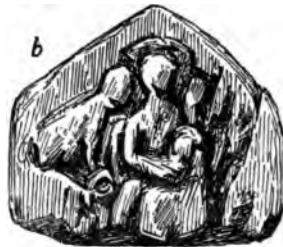
C 2, post-Conquest, but developed out of pre-Norman art.



AMOTHERBY



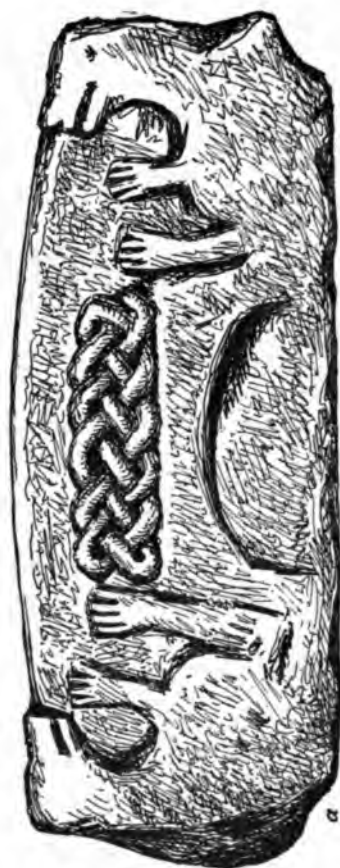
BEDALE



BIRKBY







BROMPTON



AMOTHERBY *a* and *b* are two cross-heads, cemented upon a grave-slab against the porch wall, inside; both of rather fine buff sandstone, roughly hacked. The face shown in *a* is incised, but the back is in relief; it is 18 by 11 inches, and 6 inches thick. (B.)

The face shown in *b* is in high relief and the back incised; this is 20 by 14½ inches, and 6 inches thick; no traces of wheel. (B.)

BARNINGHAM.—A "Saxon" coffin-lid was found in 1816, mentioned by Whitaker, and engraved in Longstaffe's *Darlington*, p. 215, 4 feet long, bearing a thick strap interlaced with a narrow strap; not now at Barningham.

In the south-east corner of the churchyard is a cross-socket (whinstone?), rectangular, 27 by 24 by 18 inches, with hole 9 by 8 inches, set across the oblong plan, and 4 inches deep; no ornament.

BEDALE.—Longstaffe in *Richmondshire* describes six pre-Norman stones at Bedale. The so-called "Saxon cross in the churchyard" is a coped post-Conquest gravestone. Two pre-Norman stones only are now to be seen, both in the crypt.

The circular shaft, shown at *a* extended, to give the carving all round, is 26 inches tall, 47 inches circumference; deep cut, with softly rounded forms. (A 3.)

The shrine-tomb, of which one end is shown at *b*, is of coarse, sparkling yellow grit, 15½ inches high and 17 inches broad; poor carving, deeply hacked. The stone is too heavy to move and sketch in full, but one side of the roof has a coarse plait; the other side of the roof is defaced; one vertical side has open symmetrical interlacing of a late character. The end figured seems to imitate a Nativity at Dewsbury. (A 3 or B 1.)

BIRKBY.—The fragment was found in the nave of the church, near the west end; it is built into the west wall, inside; 13½ by 8 inches; probably part of a shaft. The medial line of the snakes' bodies is finished with the chisel, but the edges of the bodies are hacked; the ground is boldly and rather deeply cut. The ends of the snakes' tails are blunt. Note the evasion of exact symmetry in the design. (B 2.)

BROMPTON (in Allertonshire) Hogbacks.—In the church, against the organ, stands the hogback represented in *a*, of freestone, measuring 54 by 21 by 10 inches. The other side is similar in design; on the ridge is a simple incised step-pattern. The carving is chiselled; the strapwork flat but not without 'surface,' and all the surfaces are slightly bombés, the hollows deeply cut. The lower part is roughly chiselled, and not finished like the upper part. (B 3?)



Brompton *b* is half of the hogback on the chancel-step, sketched from a photograph. The other side is similar in design; on the ridge is a single-strap ring plait. The whole is chiselled and finely executed; the bears are picked over, as if to represent fur. The hogback measures 52 inches long, 16 inches high, and 10 inches thick at the base. (B 3?)

Another hogback of the same design, though not quite so well executed, is represented by a fragment now placed near the organ; not figured here.

Brompton *c* shows part of a hogback in the porch, drawn from a flash-light photograph. It measures 41 by 17 by 8 inches, and is rather neatly cut, though the lower part is defaced. (B 3?)

Another hogback in the porch resembles that on the chancel steps (*b*), but has triquetræ in the panels; the pattern is picked with the hammer, the rest chiselled. It measures 48 by 18 by 10 inches. All these are of the same coarse brown freestone. (B 3?)

In the Cathedral Library at Durham are five hogbacks with bears and one with interlacing, which have been taken from Brompton (Nos. 58–63 in the catalogue). Other Brompton stones at Durham are three cross-heads with wheels (Nos. 52, 53, and 55), a cross-head with a draped figure (No. 54), a shaft with animals and human figure (No. 56), and a shaft with bird and beast (No. 57)—twelve stones in all.

Brompton Crosses.—The cross (*d, e*) stands in a corner of the church near the organ. It measures 43 inches high, 12 by 8½ inches in section at the base, and the head is 18 inches across the arms. The wheel of the head is merely rudimentary, and the lateral arms unusual in contour. (B 3.)

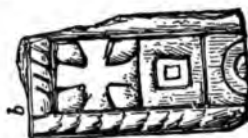
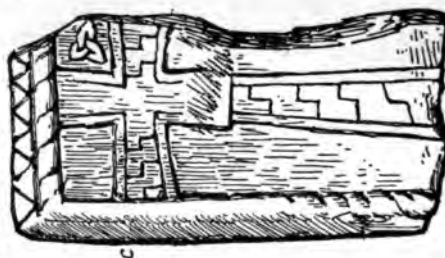
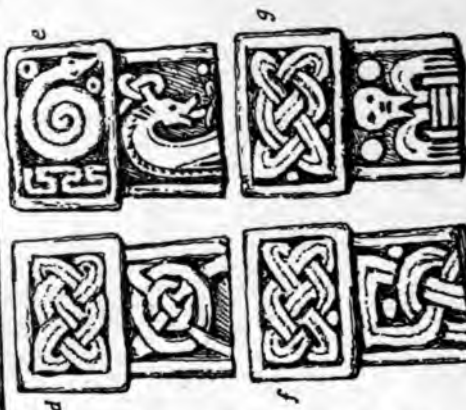
The shaft in the porch, of which the four sides are shown in *f, g, h* and *i*, is a fragment 30½ inches tall, 12½ by 8 inches in section at base; finely cut in low relief, but much defaced. On the side *f*, beneath two birds (cocks?, as symbols of watchfulness, from the story of St. Peter's denial), is a pair of those composite figures in which the fancy of Anglo-Saxon artists indulged, leading to the wild zoömorphs of Viking Age design. The figure at *g* is indistinct, but may be holding a book; that at *h* may be an angel with wings, and underneath it was a basket-plait, now nearly scabbled away. (A.)

In the porch is also a tall cross (not drawn), closely resembling the cross near the organ (*d, e*). It measures 60 inches tall, the shaft 12 by 9 inches in section at 1 foot from the base, which is broken; and the head is 15 inches across the arms. Hacked work, perhaps finished with the chisel.









CRATHORNE

There are also three wheel-heads, of which two are figured; *j* measures 15 by 11 inches, and is similar on the other side; *k* and *l* are two views of another, of which the radius is  $9\frac{1}{2}$  inches; and the third is like *k*, *l*, except that it has no pellets on the wheel, which is rudimentary and unpierced (like *e*), and the boss in the centre is not panelled in a square. This last has a radius of 10 inches, and is 4 inches thick: it has a knot on the end of the arm, like *k*. (B 2.)

All these are of the same coarse brown freestone, and were discovered in 1867, at the restoration of the church, in the foundations (The Rev. G. Rowe, Report of the Yorkshire Architectural Society, 1878).

CATTERICK.—Fragments acquired by Bishop Browne, and now in the Antiquarian Museum, Cambridge, have been mentioned to me by Mr. Romilly Allen's kindness:—

(1) Part of a cross-head,  $15\frac{1}{2}$  inches across the arms; the end of each lateral arm measures 11 by  $4\frac{1}{2}$  inches. A bird on each side of the boss, and below them a rectangular knot, unique in the North Riding, but plaited like "Sir T. Heneage's knot" in heraldry.

(2) Cross-arm, the end of which measures 12 inches by 4; length of fragment 9 inches; filled with elaborate but not quite regular interlacing.

CRATHORNE.—The stone (*a*) over the south door of the church is of buff sandstone, 72 inches long by 14 inches high, and about 13 thick. The figure shows the external side, neatly chiselled in medium relief, with surfaces smoothly rounded. Note the interruption of the plait at irregular distances, giving variety and picturesqueness to an otherwise monotonous design. The back is similar, but less carefully carved, and partly cut away to insert the wooden door-lintel, as was done with the Cundall shaft. (A 3.)

The fragment (*b*), of dark buff sandstone, about 14 by 7 inches, is built into the tower. It is chiselled carving; perhaps a small grave-slab. (B 1.)

The grave-cover (*c*) is also built into the tower; it is about 28 inches long, and has bevelled edges, and a triquetra. (B 1.)

The neck of a cross-shaft, of which *d*, *e*, *f*, *g* are the four sides, is fixed on a window-sill. It is of hacked work in brown sandstone; about 14 inches high by  $9\frac{1}{2}$  inches broad. Note the dimpled pellets, coiled serpent and sea-horse type of dragon in *e*, and the wings of the bearded figure (Evangelist?) in *g*. (B 2.)

The cross-head (*h*) is built into the tower, inside; of brown sandstone, about 21 inches high, low relief. The Rev. J. M. Wilson, rector of Crathorne, says that there is a cross on the reverse. (C 2.)

In the church are also two fragments of a hogback, very battered, of rude hacked work in dark buff sandstone, with a plait along the edge (not figured). (B 2.)

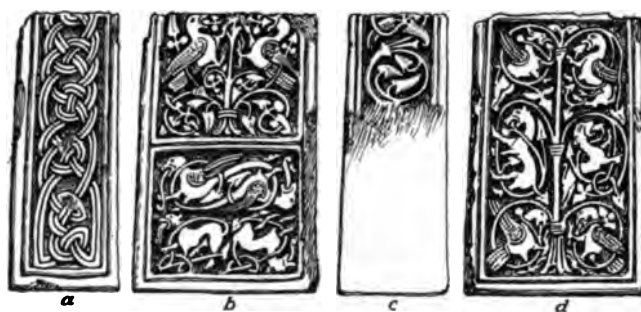
A hogback from Crathorne, similar to the stone here shown (*a*), but with the addition of tegulæ, is in the Durham Cathedral Library (No. 51 in the catalogue).

CROFT.—On a north window-sill in the church, near the Millbank monument, is the beautiful fragment (*a, b, c, d*) of an Anglian cross-shaft, found by Canon Greenwell, and now well shown on a revolving pedestal. The carving is so delicate that the sketch opposite only roughly represents its design, but there are casts in the Durham Cathedral Library and Leeds Museum.

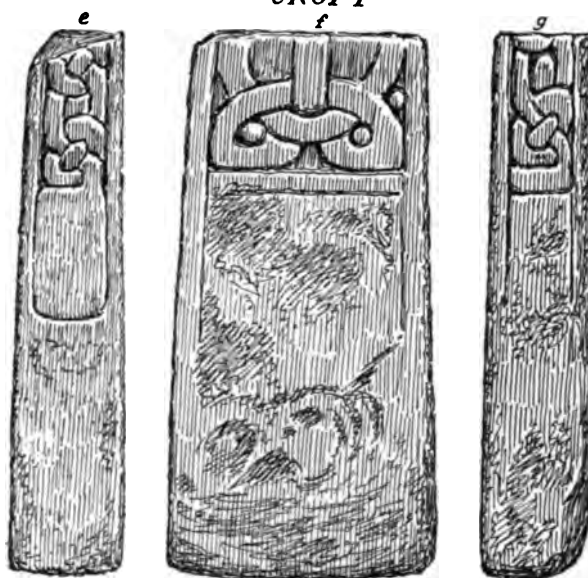
The fragment is of whitish brown stone, fine grained; 18 inches long, by 12 tapering to 11 inches broad, and  $6\frac{3}{4}$  tapering to  $6\frac{1}{4}$  inches thick. The arrises are rounded, taking off the rigidity of a highly finished contour. The consecution of the strap-work in *a* is free and irregular, but the straps are smoothly rounded, and well tucked under where they cross. The ground is cut away flat. Note the curved lines of the frame in *b*, which show that the design was drawn in freehand on the stone, not mechanically ruled out. The surfaces of the relief are flat, but the edges are varied, some rounded and some sharp. The ground is sunk about one-third of an inch. The side *c* has been defaced, except the small bit of exquisite convolvulus design. In *d* the central stem leans on one side, and the loops are artistically asymmetrical. (A 1.)

In the north aisle is also a cross-fragment (*e, f, g*) of the Viking Age, strongly contrasting with the refinement of the Anglian work. It was found by the Rev. J. M. Marshall, rector of Croft, and is of light red sandstone, 35 inches long,  $17\frac{1}{2}$  tapering to 15 inches broad, and 7 tapering to 6 inches thick. The edges are hacked, while the faces are chiselled in very shallow relief, the outlines being incised deeply. The reverse is not drawn here, as it has only a morsel of pattern at the top, a bit of the Scandinavian interwoven circle (as in Viking Age stones at Lancaster and Aspatria). There is a vague appearance of pattern in the lower part of the stone, but this I think merely weathering, the fragment being the lowest part of a shaft, with a plain stump to be planted in the ground. (B 2.)

Mr. J. Romilly Allen, in a paper of 1894, mentions a hogback at Croft, which I have not seen.



*CROFT*





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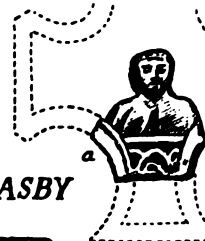


EASBY





ELLERBURN



EASBY



CUNDALL.—The figures E, N, W, S represent four sides, east, north, west, south, of a shaft which stands in the churchyard, south of the church, set loosely in the turf. The piece taken out of one arris shows that it has been used as a lintel; in fact, it is illustrated in position as a lintel by Whitaker (*Richmond*, vol. ii., p. 195). It is of hard brown stone, 55 inches tall, and in section, 13 by 11½ inches, tapering to 10½ by 9½ inches. The carving is beautifully done, somewhat like that of the Kirkby Hill impost. Even S, which is much weathered, retains the fine character of the work. Like the Croft Anglian fragment, it was drawn in freehand on the stone and not ruled out, as may be seen from the irregularity of the lines. (A 2.)

EASBY.—Built into the south wall of the church, outside, but protected by the niche in which it is placed, is the mutilated figure represented opposite from a pencil sketch. I have drawn it a little too broad for its height; the size is 27½ inches long by 8 inches or a trifle less in breadth. It has been a full statue, in high relief, delicately carved in a light and fine yellow sandstone. Locally it is said to represent St. Agatha, the patron saint of the place; and as the whole upper part of the figure has been cruelly defaced, it is impossible to say more than that it is a female seated in a chair, with the feet—rather large in proportion—upon a footstool, and the drapery treated in a style which recalls pre-Norman work. That there was a good figure-sculptor at work here in pre-Norman times the figures *a* and *g* on the next plate show. (A 2?)

The little bust (*a*) is built in near the figure of "St. Agatha," and though much broken, has been well chiselled and fully modelled in high relief, with the eyes and mouth carefully shaped. It appears to be part of a cross-head from what was once an extremely noble cross. The fragment *b* is built in, high on the west wall of the church, outside; *c* is another fragment, built into the church inside; in this the moulding of the arris is like Wycliffe *h*; otherwise it fits the pattern of *b*, and may perhaps be part of a sister cross. The last figured is a stone in possession of Mr. Jaques, of Easby, of which *d*, *e*, *f*, *g* are the four sides. Without taking the two stones out of the wall it would be difficult to tell whether *a*, *b*, and this are all parts of the same cross; but they are all of the same style and period, and there is no finer work in decorative animal-carving than the eagle and beast in a scroll of berries in *e*, or the Christ enthroned with the orb and two angels in *g*. This has some of the rich roundness and filled composition of a Roman sarcophagus panel, and is but poorly represented in the figure. The placing of the folds of drapery, however, shows that it is no ordinary stone-carver's work. (A 2.)



ELLERBURN.—The cross-head (*a*) is built into the church, outside the south wall of the nave. It is of a close-grained cream-coloured freestone,  $29\frac{1}{2}$  inches long and 18 inches wide. As the centre of the head is flat, this seems to be the reverse, and an inscription might have been on the neck of the other side, where, on this side, is the gagged dragon. The want of symmetry is remarkable, and the free use of pellets, even filling up the usual four holes of the wheel. The work is hacked with the hammer, and rather deeply cut. (B 2.)

Near it is a little stone, built in, with the much-weathered design of two heads (*b*), perhaps of priests, rudely hacked. (B.)

On the north wall, outside, is built in a stone measuring 13 by 12 inches, with double-strap dragonesque interlacing (not figured). This is said by the Rev. J. Thornton, vicar of Ellerburn, to have no carving on the other sides, but seems to be part of a cross-shaft. (B.)

EASINGTON.—The pre-Norman fragments, discovered at restoration, 1888, are kept in the belfry. Some stones from Easington are said to be in the Galilee chapel at Durham.

The late bit of hacked work (*a*), with angular, flat strap, may be part of a shaft; it is of brownish sandstone, 11 by 6 inches, and 10 inches thick. (C 1?)

The cross-head (*b*) is of reddish sandstone, hacked, 21 by  $9\frac{1}{2}$  inches across arms, and 5 inches thick; the back has the same design, and the ends of the arms are marked out with a single hacked line. The boss is low, and deeply outlined. (A 3.)

The cross-head (*c*) is of brownish sandstone, hacked, with flat strap; 20 inches across arms, and 8 inches thick. The back is defaced; on the ends of the arms are little triangles, sunk. (B 1.)

The shaft-fragment (*d, e, f*) is of brown sandstone; the sides *d* and *f* measuring 16 by 10 inches, and the edge *e* 6 inches broad. The side *d* is chiselled, with flat surfaces, but *f* is merely hacked out. The other edge is cut away. Note the key-pattern running into a plait, and the hoofs and legs on *d*. (B 2.)

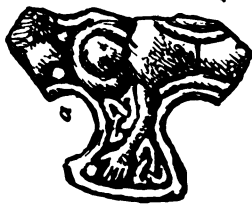
The fragment (*g*) is of red sandstone, 31 by 12 inches, and 10 inches high. The other side is similar in design; all rudely hacked. The sides are parallel, not bombés. (B 1?)

The fragment (*h*) is one of two pieces of a hogback. This piece is 37 inches long, 16 inches high in the highest part, and  $11\frac{1}{2}$  inches thick. The other piece is 29 inches long, with similar pattern; the reverse is also similar in design. The heads are dragonesque, with small nostrils, teeth and ears, all done rudely but cleverly with hacking. (B 2.)









FINGHALL

FORCETT



The shaft-fragment (*i, j*) is of red sandstone, 20 by 13 tapering to  $11\frac{1}{2}$  inches, and 6 inches thick; evidently the lower part of a cross-shaft, with tenon to fit into a socket. Rudely hacked, and carelessly; in *i* the carver has lost the sequence of interlacing, and tried to correct it. (B 2.)

Also, not figured, one small fragment of rude hacked interlacing red sandstone; a post-Conquest small cross-head; and a paw with five claws, well carved, which may be part of a hogback bear, but may come from the fine Norman architectural carving of the old church.

FINGHALL.—The cross-head (*a*) is built into the south wall of the chancel, inside. It is of rough brown gritstone, 12 by 15 inches; rude hacked work, but less grotesque in drawing than some of the cross-head crucifixes. (A 3.)

The fragment (*b*) might be part of the same monument. It is built into the west wall, outside. Rough brown gritstone,  $9\frac{1}{2}$  by 7 inches; apparently hacked. (A 3.)

The cross-head (*c, d, e*) stands on a window-sill in the church. It is of lighter and smoother stone than the crucifix (*a*); 14 inches across the arms, 9 inches high, and 5 inches thick. The pattern is merely incised, with hacked lines, and the holes are not bored through. (B.)

The two cross-heads were found during recent restoration.

FORCETT.—In the porch are five pre-Norman fragments, all of rude execution and design, and built in, so that one face only is seen.

The cross-head (*a*) has a radius of 11 inches; buff sandstone, chiselled; flat circle in the centre. (B.)

The shaft-fragment (*b*) is of the same stone and workmanship, 20 by 11 inches, but the design is much ruder than that of the cross-head; the interlacing is lost, and the animals are most grotesque. Note the *lorgnette* pattern of the superimposed cross. (B.)

The shaft-fragment (*c*) is of dark buff sandstone, carefully chiselled, with round and soft surfaces,  $20\frac{1}{2}$  by  $8\frac{1}{2}$  inches. The round shoulders or wings of the figures are frequently seen in this district. (B.)

The stone (*d*) is built in sideways, but seems part of a shaft. It is of red sandstone,  $12\frac{1}{2}$  by 10 inches, sharply chiselled. The figure, apparently entwined with a snake, stands on something like a boat. (B.)

The fragment (*e*) is of red sandstone, 8 by  $10\frac{1}{2}$  inches; a figure with nimbus holding his left hand over a beast (lamb?) among snakes; possibly St. John Baptist and Agnus Dei. (B.)

GILLING (in Richmondshire).—In the churchyard and south porch are five pre-Norman stones.

The cross-head (*a*) is of brown sandstone, chiselled,  $13\frac{1}{2}$  inches high,  $17\frac{1}{2}$  inches wide, and 6 inches thick, with the same design on the other side. The *lorgnette* arms of the superimposed cross are in relief. There seems to have been no wheel. (A 3.)

The cross-head (*b*) is of brown sandstone, radius 12 inches, thickness  $4\frac{1}{4}$  inches. The other side is like this in design, but the interlacing on the arms is looser; *c* is the boss on the other side, not mutilated like that on *b*. The work is chiselled and finely done, all of round ropes, not flat straps. (B 3?)

The shaft-fragment (*d*, *e*) is in the churchyard; it is 25 inches tall, section at base 11 by 9 inches, tapering to  $7\frac{1}{2}$  by  $6\frac{1}{2}$  inches; brown sandstone, flat straps, shallow cutting. Note the offset band, as at Rockcliffe (Cumberland), and the irregular interlacing of the lower part of *e*. (B 3.)

The head (*f*), though a wheel-cross, has had the superimposed *lorgnette* cross in relief like *a*. It is of brown sandstone, 20 by  $15\frac{1}{2}$  inches, by 6 inches thick; the back is still more defaced than the side drawn. The wheel is not pierced. (B.)

A fragment of a cross-arm (*g*, *h*, *i*) is of the same brown sandstone, 9 inches across the end of the arm, and 6 inches thick; very roughly chiselled, with a flat strap. (A 3?)

The fragment of shaft (*j*, *k*, *l*, *m*) is (Nov. 1904) loose in the churchyard. Like the shafts at Gosforth, Penrith and Beckermeth (Cumberland), and the pillar of Eliseg, it is a cylinder, developing into a tapering rectangle, 9 by  $7\frac{1}{2}$  inches in section at the thickest. The carving is deep, the interlaced strands are round and ropy, and the ground is flat. (B 3.)

In the churchyard, on the south of the porch, is a stone which looks like the base of an old cross; it measures  $37\frac{1}{2}$  by  $30\frac{1}{2}$  inches, and stands 4 inches above the turf. It has a shallow step cut in the upper edges, and upon it stand three blocks.

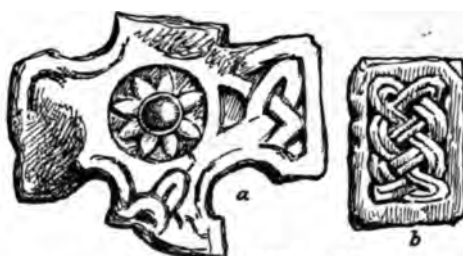
GREAT AYTON.—Three stones, forming two cross-heads, were rescued from rockeries in the vicarage garden by the Rev. Carus Vale Collier, F.S.A., and are well shown in the new church at the east end of the south aisle.

The cross-head (*a*) is  $19\frac{1}{2}$  inches across the arms, 15 inches high, and 6 inches thick; chiselled; the ground of the leaves round the boss and between the plaits is sunk. The other side has a boss and flat, rather angular strap-work, much defaced. No pattern on the ends of the arms. (A 3?)

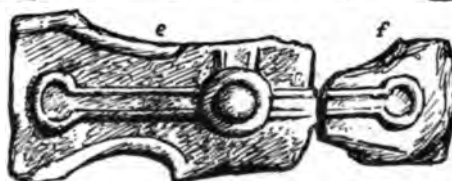








GREAT AYTON



GREAT EDSTON







*HACKNESS*



The cross-head (*c, d*) has a radius of  $14\frac{1}{2}$  inches, and is 7 inches thick. The figure of the crucifix is flat, but the arm fairly well modelled. At the back (*e, f*) is a superimposed *lorgnette* cross in relief. The end of the cross-arm (*b*) measures 10 by 7 inches. The whole is chiselled and rather deeply cut. (A 3.)

There is also in the wall between the vicarage garden and the churchyard, and facing the churchyard, a fragment of double strap interlacing,  $14\frac{1}{2}$  by 12 inches, somewhat like *b*, and perhaps bit of a shaft; not drawn here.

GREAT EDSTON.—Over the south door is a dial-stone measuring about 48 by 21 inches, of which part is here drawn, showing all that is of interest. The inscription has been read OROLOGIVM VIATORVM . LOTHAN ME WROHTE A (Mr. J. E. Morris, *The North Riding of Yorkshire*, p. 150, refers to *Yorks. Archaeological Journal*, v., 134) :—"The wayfarers' clock. Lothan wrought me." Note the drill-holes in the H and T, and the heavy sérif of the E in the last line. (C 1.)

HACKNESS.—At the east end of the south aisle are preserved two fragments of a great Anglian cross, to the memory of abbesses of the convent which existed here from 680 to 869 A.D.

The taller stone (*a, b, c*) is 40 inches high by about 15 inches square, tapering to 13 inches square at the top. The scroll work of *a* and *b* is finely designed; its surface is flat, but the edges are rounded off, and the ground sunk to the depth of an inch, but not cleared away flat, so giving an effect of softness. In *c* the holes are an inch deep, but the overlapping of the double cords (not straps) is lightly indicated. Note the angular bend of the plait at two places only.

Of the smaller stone, the east side is entirely defaced; the north side has a bit of inscription, "Abbatissa," at the top; the south side has the cryptic runes and a regular single-strand plait; and the west side is here drawn at *d*. It shows two griffins in relief, with their forepaws crossed, and a spiral device beneath, reminiscent (like Easby *g*) of classic Roman models.

There seems to have been a third stone, but I did not see it.

The inscription on *a* I tried to facsimile for the sake of the lettering. The rest of the inscriptions do not come into the scope of this study. (A 1.)

The stone figured at *e* is an impost of the Norman chancel arch. It is of dark brown freestone, about 30 by  $6\frac{1}{2}$  inches. The straps and figures are flat, in low relief, cleanly chiselled, and the ground cleared away flat. Prof. Baldwin Brown (*The Arts in Early*

*England*, ii., p. 338) notes Hackness as a "Saxon" church on the strength of the "chancel arch with carved impost," dating it "B or C," *i.e.* middle or later pre-Norman period. This stone, however, does not seem to be pre-Norman work, but twelfth century interlacing, of which there are many examples, for instance the fonts at Alne and Bowes. At Kirkstall Abbey is an interlaced impost on the south side of the choir. (Mr. Romilly Allen does not agree with the opinion I have ventured to express, and he holds the impost to be Saxon.)

HAUXWELL.—The well-known churchyard cross is shown at *a, b, c, d*. It stands 48 inches high from the base, where the socket-stone is broken away (fig. *a*), and is 12 tapering to  $9\frac{1}{2}$  inches at the neck in breadth, by 6 inches in thickness. The head seems to have been a wheel-cross, but is much mutilated. The socket-stone in which the shaft stands is 25 inches high, and in section  $22\frac{1}{2}$  by  $12\frac{1}{2}$  inches, tapering to  $19\frac{1}{2}$  by 11 inches; it has no ornament and is not drawn here. The side *a* faces east, *b* north, *c* west, and *d* south.

The single-strand interlacing is formed of rounded ropes, smoothly cut, the corners of the plait rather blunt and the lines not very regular; the ground is open everywhere. In *c* the interlacing seems to have lost its proper sequence of "over and under," but this side is much defaced. The panel on *a* measuring  $3\frac{1}{4}$  by  $2\frac{3}{4}$  inches, contains no traceable inscription now, but is said to have borne the words "Crux Sancti Jacobi," from which it has been thought to be the seventh century tombstone of James the Deacon, who lived near "Cataract" (Bede, *Ecc. Hist.*, ii., 20). But the cross can hardly be of so early a date. (B 3 ?)

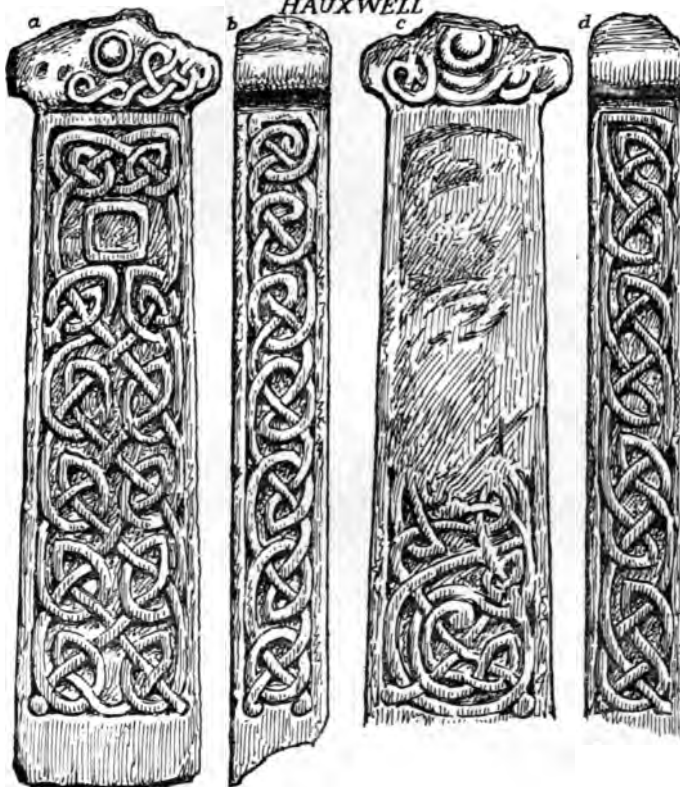
The stone (*e*) serves as a lintel to the north door of the church, being built in above the Norman capitals. It is of brown and yellow sandstone, rather soft, and measures 37 by 5 inches. The pattern is rather deeply incised with the pick. (B 2 ?)

HELMSLEY.—The hogback in the porch, with one end broken off and the sides scabbled away for building purposes, measures now in length  $48\frac{1}{2}$  inches, height 15 inches, breadth at top 9 inches, and greatest breadth about 13 inches. The pattern here drawn is all that remains of ornament upon the stone, a piece of hacked work, 36 by 9 inches, on the top of the hogback. (B 2.)

HIGH HAWSKER, near Whitby.—Mr. Romilly Allen has kindly shown me his sketch of a cross-shaft standing in its socket-base. The patterns are much weathered, but the face bears three nearly square panels occupying the upper half, underneath which is a triangle, somewhat as in Brompton *e*, Gilling *d, e*, Lastingham *c, d, e*, and Stanwick *i, j*.



HAUXWELL











HOVINGHAM

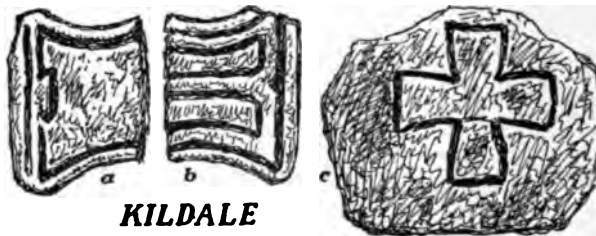
HELMSLEY







**INGLEBY ARNCLIFFE**



**KILDALE**



**KIRKBY-IN-**

**CLEVELAND**

HOVINGHAM.—The bas-relief figured is built into the south wall of the tower, which Prof. Baldwin Brown (*The Arts in Early England*, ii., p. 339) dates as late pre-Norman; from which it may be inferred that the stone, originally a lintel, altar-front or reredos, is earlier. It is of pale yellow, fine-grained stone, prettily designed, crisply chiselled, but much weathered and defaced, measuring 63 by 22 inches. To the spectator's left the first two panels evidently represent the Annunciation; note the Virgin's chair, cushion and footstool, the Byzantine-looking rod of the angel, and the suggestion of movement in the angel's attitude and drapery, which however is not flying drapery, but rather of the type of Easby *g*. Of the four figures in the middle panels, the second seems to be holding a book (compare a panel on Masham column), and the four may be meant for evangelists. The last two panels form a pendant to the Annunciation group; the foot of the last figure to sinister stands on some small object, more flattened than it appears in the drawing, which I cannot interpret, but suggest that the subject intended is the Salutation. The spandrils above seem to contain doves or weathered leaves, as in similar spandrils at Peterborough and Masham. Below is a running pattern not unlike that on the Archer shaft of St. Andrew's, Auckland. The first two branchings to dexter seem to have bindings, though the rest are too worn to show them; the Rev. Arthur Brooke, rector of Slingsby, kindly made a visit to the place to check my observation of this point, and confirms it. The bindings, and the arches, with the resemblance to "Hedda's tomb," Masham pillar, Easby *g*, and still more to the "Loaves and Fishes" shaft at Hornby (Lancashire), a certainly pre-Norman stone with graceful figures like these, together with its position as built into an eleventh-century wall, seem to justify a date of A 2.

INGLEBY ARNCLIFFE.—Three stones drawn and described from material kindly supplied by the Rev. Carus Vale Collier, F.S.A.

The fragment *a* is built into the south wall of the tower, inside; about 10 by 16 inches; relief rather flat; a scroll in a non-rectangular panel. Perhaps a piece of a shrine-tomb.

Fragment of shaft (*b*) built into the north wall of tower, inside; 10 by about 5 inches. The plaited cord is rounded, and the knot is very unusual—see page 287. (A 3?)

Fragment (*c*) on the window-sill in vestry; about 8 by 8 inches. The carved surfaces, divided by an arris-moulding, are at obtuse angles to one another. Perhaps a bit of hogback.

Two stones from Ingleby Arncliffe are in the Cathedral Library, Durham, given by Mr. William Brown, F.S.A., and figured in his

book, *Ingleby Arncliffe and its Owners* (Leeds, 1901). One of these (No. 64) is a muzzled-bear hogback; the other (No. 65) is a late coped stone.

KILDALE.—The end of a cross-arm (*a, b*) measures 12 by 9 inches. (A 3.) The incised cross (*c*), perhaps a fragment of pre-Norman late slab, is on a stone measuring 18 by 14½ inches. Both are sketched from rubbings kindly sent by the Rev. Carus Vale Collier. At Kildale are fragments of coped gravestones with rectilinear patterns, possibly post-Conquest.

KIRKBY-IN-CLEVELAND.—These stones also are from drawings and measurements by the Rev. C. V. Collier, to whom I owe notices of other stones now at Kirkby Church, at the east end of the south aisle; namely (1) cross-head, 11 inches high, 11 inches broad, and 6 inches across neck, like the Resting Cross at St. Bees, post-Conquest; (2) a stone 18½ inches tall and 14 inches broad, with figure in bas-relief of a Norman knight on horseback holding a sword point upwards in his right hand, while over the horse's head is another figure with a battle-axe; (3) a stone 23 inches tall and 10½ inches broad, with a rather high relief of a lady in long gown, hanging sleeves, girdle with long ends and brooch; costume of the first half of the twelfth century; fan (?) and bunch of flowers (?) in her hands.

Figure *a* opposite is apparently part of a shaft, 9 by 8 inches. The cross-head (*b*) is 15 by 14 inches, with radius of about 9 to 10 inches. Unusual interlacement; wheel as in Brompton *c*. (B 3.) Bit of cross-arm (*c*) appears to be of similar class to *b*.

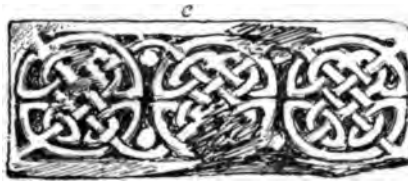
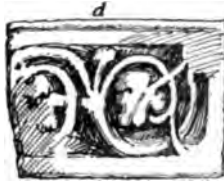
KIRKBY HILL.—The cross-head (*a*) is over the south door in the porch of the church. It is of buff sandstone, about 8 by 11½ inches.

The shaft-fragment (*b*) is inside the porch, of light red sandstone, 9½ by 10½ inches; it is hacked, not deep cut, and the little wavy line on the margin is very lightly cut. (B 3?)

In the porch over the south door is the fragment of shaft (*c*), measuring 15 by 10½ inches, tapering to 9½ inches. The pattern is hacked, not deeply; the design rude, showing in the lower panel a sort of "rustication," seen again at Wath. (C 1?)

The south nave door has the pre-Norman impost (*d, e*) *in situ*; *d* is the face turned westward, and *e* the adjoining face of the same stone, looking south. The stone is of yellow grit, measuring 26 by 14½ inches, and 10 inches high. The carving is deep and smooth, with edges and arris rounded off; the crossings of the plait-work lightly indicated (as in Hackness shaft), and the design beautifully

KIRKBY HILL









EIR: A EPT: R + TAT: 6 R G  
 N: PRT: P: I. P TSP: R G

DRDV  
 XXXXXXXX<sup>a</sup>

KIRKBY MISPERTON<sup>b</sup>



KIRKBY

MOORSIDE



felt. Professor Baldwin Brown (*op. cit.*, p. 339) dates parts of the fabric late pre-Norman. I think we must class the impost A 2.

In the churchyard is a cross (*f, g, h*) of rough red sandstone, deep chiselled, with rounded arrises like the impost; measuring 33 inches high, and in section 12 by 7 inches, tapering to  $11\frac{1}{2}$  by  $6\frac{1}{2}$  inches at the neck. The top of the panel on the edge *g* is an unusual treatment of a simple plait. (A 3.)

Near the last, and of the same kind of stone, is the fragment (*i*), measuring  $17\frac{1}{2}$  by  $11\frac{1}{2}$  by  $8\frac{1}{2}$  inches. Though it is here drawn as it stands in the turf, I suspect that it has another beast symmetrical with the one seen, and as there is a much-worn plait on the edge now uppermost, it is really a section of a cross-shaft with animals rampant, but too rude and mutilated to class as it stands.

KIRKBY MISPERTON.—The inscribed stones in the south wall of the chancel, outside, are drawn at *a*, with some attempt to imitate the shapes of the letters; they seem to form part of a grave-slab naming "Tatburg."

On the outside of the north wall of the nave is built in the shaft-fragment, of which the visible edge is shown at *b*;  $16\frac{1}{2}$  by 6 inches; chiselled, in low relief, with the cords of the plait not flat, but rounded. (A 2.)

Another stone beneath it, 22 by 6 inches, is apparently of the same pattern, but much worn.

There are also various fragments of perhaps post-Conquest work, and a dial (upside down) built into the chancel wall, outside.

KIRKBY MOORSIDE.—The four pre-Norman stones are built into the vicarage porch; they were found during restoration (in 1855?).

The cross (*a*) is of cream-coloured sandstone, 39 inches tall, 12 inches across the head, and 6 inches across the shaft. The outer moulding of the shaft projects, and the pattern is deeply cut with the hack. (B.)

The fragment (*b*), 11 by 7 inches, is roughly hacked in shallow incised lines, forming the Scandinavian chain-pattern. (B 2.)

The fragment (*c*),  $26\frac{1}{2}$  by 7 inches, is very rudely and slightly incised with the hack. If it is drawn the right way up, and if the hollows above the pattern represent the spring of a cross-head, then the shaft tapers the wrong way. In any case, it is a rough bit of work. (B.)

The stone (*d*) is an architectural feature from an early stone church. It is of browner sandstone than the other fragments, measuring 25 by  $9\frac{1}{2}$  inches, neatly chiselled in a regular pattern, in very low relief. (A 3?)

Mr. J. Romilly Allen, in a paper of 1894, mentions a hogback at Kirkby Moorside, which I have not seen.

KIRKDALE.—The great crucifix is built into the south wall of the nave, outside. It is of dark yellow brown sandstone, 63 inches long, 22 inches across the arms, and 16 inches across the shaft. The face of the crucifix is mutilated; note the forked beard and exaggerated umbilicus. The background is filled with pellets, and forms suggesting rude foliage rather than dragonesque ornament. (A 3?)

The cross (*b*) is built into the west wall, north of the tower, outside. It is about 44 inches long, the head about 15 inches broad, and the shaft about 13 inches broad; the pointing prevents exact measurement. It bears rude interlacing, hacked in low relief. (A 3?)

The stone (*c*) is built into the east end, outside. It is of brownish yellow stone, 28 by 9½ inches, deeply hacked; and is perhaps part of a slab or broad shaft, which once had a double breadth of pattern, loosely designed, with the interstices filled with pellets. (B 2.)

There is also a very weathered piece of open interlacing built into the west end on the south side, 50 by 21 inches in size, somewhat resembling the Stonegrave cross; this is not figured here. (B.)

Also fragments in the vestry, and others in a neighbouring barn, which I have not seen.

The so-called "King Ethelwald" grave-slab (*d*) has now no readable inscription, and the intention of the scroll-work above the head of the cross is not easy to follow. There is no interlacing, but knops and leaves at the ends of spiral stems, carved in good low relief. The stone is built into the west wall of the church, north of the tower, outside; it is of brownish-yellow sandstone, with red patches, and measures 52 by 21½ inches. (A.)

The famous dial-stone (*e*) has been drawn as a study in lettering. It was discovered in 1771, and is apparently in its original position. The inscription reads:—"Orm Gamalsuna bohte Scs Gregorius minster thonne (*when*) hit wes æl to-brocan & to-falan, & he hit let macan newan from grunde, Chr(ist)e (?) & Scs. Gregorius, in Eadward dagum c(yni)ng, & (i)n Tosti dagum eorl. This is dæges sol-merca æt ilcum tide : & Haward me wrohte & Brand pŕs." This fixes the date of the stone 1055-65. (C 1.)

KIRKLEVINGTON.—The church was rebuilt in 1882, when many pre-Norman fragments were found, now kept in the church.

The cross-head (*a, b*) is of brown Cleveland stone, 18 by 18 inches, and 5 inches thick; carved with hack and chisel on the front (*a*) and merely hacked on the reverse (*b*). It has evidently been used for the tombstone of "W.S., 1698." (B.)







KIRKDALE









LEVINGTON

KIRK-

The cross-head (*c, d, e, f*) is of reddish sandstone, hacked, measuring 17 by 14 inches, and 6 inches thick. The figures *e* and *f* give the designs on the edges of the neck of the shaft. (B 3.)

The fragment of a wheelless cross-arm (*g, h*) is of brown stone, roughly carved in low relief;  $7\frac{1}{2}$  inches across the end. No pattern on the edge. (A 3.)

The shaft-fragment (*i*) is built into the new organ-chamber. It measures 14 by 8 inches, and represents the well-known symbol of the Hart and Hound. (B ?)

The shaft-fragment (*j*) measures 10 by  $5\frac{1}{2}$  inches. Note the fish's tail, perhaps part of the subject of the Loaves and Fishes, as at Hornby (Lancashire). (A 3 ?)

The fragment (*k*) is built into the new organ-chamber. It measures 8 by 7 inches, chiselled, of buff sandstone. A saint bearing palms or wands of victory over death; see a paper by Mr. O. M. Dalton, F.S.A., in *Proc. S. A.*, 1904.

The shaft-fragment (*l, m, n*) is of Carlton stone, 21 by  $12\frac{1}{2}$  inches, and 7 inches thick. Note figures with swine's heads under the Crucifix. (B 3.)

The shaft-fragment (*o, p*) is 11 inches broad by 8 inches thick; roughly incised, with the Scandinavian chain-pattern on *p*. (B 2.)

The shaft-fragment (*q, r*) is of soft brown sandstone, 18 by 11 inches, and  $7\frac{1}{2}$  inches thick. A curious design, in which everything is sacrificed to bold effect. Note the attempts at triquetrae which do not interlace, and the casual dragon-head. (B 2.)

There are also at Kirklevington Church, but not figured here, (1) A wheel-head of brown stone, 18 by 12 by  $6\frac{1}{4}$  inches, with no pattern on the face but a knot on the end of the arm; the wheel not pierced. (2) A fragment of interlacing built into the east end, outside. (3) A morsel of pre-Norman carving near the priest's door, outside. (4) A bit of interlacing built in outside the organ-chamber.

The shaft-fragment (*s, t, u*) is of brown stone, roughly hacked; 10 inches broad by 9 inches thick. The pattern at *s* is like one at Lancaster in a Viking Age shaft, which also has swine-headed figures, as at *d* and *l* here. (B 3.)

The shaft-fragment (*v, w, x*) is of brown sandstone, 29 inches tall, and  $12\frac{1}{2}$  by  $8\frac{1}{4}$  inches in section, tapering to 11 by  $7\frac{3}{4}$  inches. It is partly hacked and partly chiselled. The two figures seem to have their hands bound to their waists. (B 3.)

The shaft-fragment (*y*) is  $31\frac{1}{2}$  inches tall, and measures  $9\frac{1}{2}$  by  $7\frac{1}{2}$  inches at the top; the lower part of the edge has been chipped away. The figure is very carefully carved in high relief; the two

birds seem to be doves; the costume, a long-sleeved kirtle and helmet, suggests a portrait. Note the rings at the top, going over the cross-bar and under the arris-band, intended to reappear on the adjacent face, as if passing through the stone—a trick repeated from *h*, *i* Brompton, also in Wycliffe *g*. The other sides are defaced. (B 3?)

The shaft-fragment (*z*) is of brown stone, 15 by 10 inches, and 7 inches thick; the pattern incised, by hacking, in brown stone. (B 2.)

The shaft-fragment (*aa*, *bb*) is of brown sandstone, 35 inches tall, and in section 12 by 8½ inches, tapering to 9 by 7½ inches. The portion of *aa* hidden by *z* has been defaced. The pattern is deeply cut with the chisel. The bird has traces of red paint.

The cross-head (*cc*, *dd*, *ee*) is of brown stone, deep cut, with a radius of 8 inches and a thickness of 6 inches. (B.)

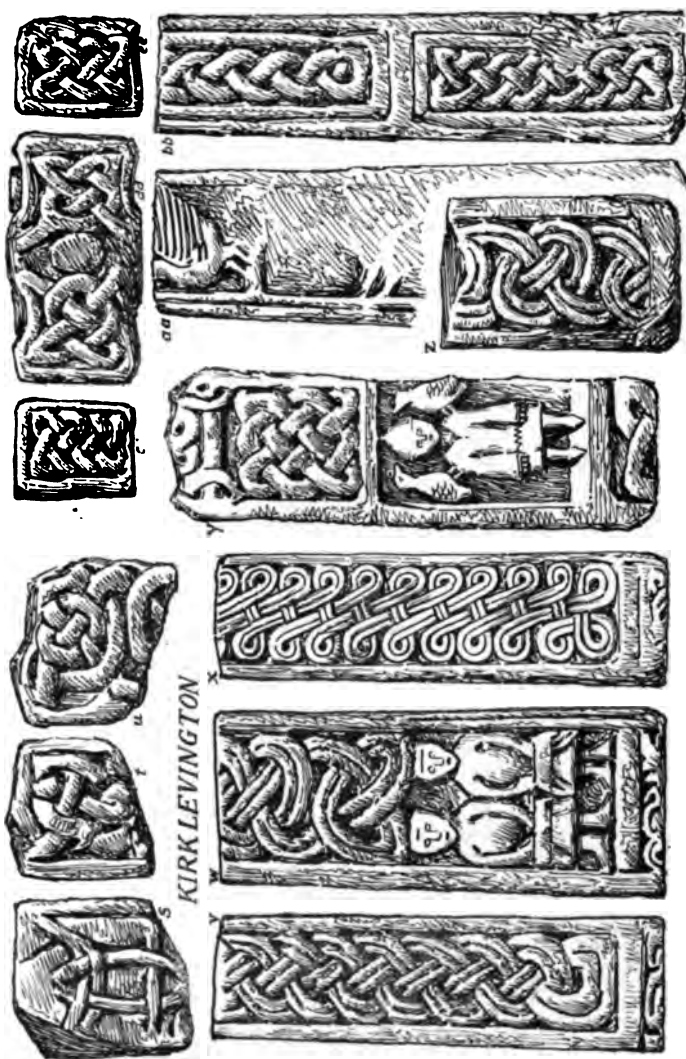
Mr. J. E. Morris, in his *Guide to the North Riding* (quoting from the *Yorkshire Archæological Journal*, vii., 458), mentions twenty-four "Saxon" fragments. I could see only these nineteen, beside some which I should not class as pre-Norman. Of these, a cross-head similar to Crathorne *h*, and measuring 14 by 9 by 5 inches, and a fragment of low-relief tympanum or grave-slab, 18 by 14 inches, with a warrior, kite-shield, battle-axe, and mace (three knobs, as in the Bayeux tapestry), are the most interesting.

LASTINGHAM.—The stones figured are all in the crypt, where there is also a very rudely hacked hogback, with tegulæ on one side and a plait on the other, and at the end a bear of the Brompton type but much ruder; the stone measures 50 inches long (one end is lost), 15 inches high in the middle, and 13 inches broad at the thickest part. (B.)

Also a well-carved dragon's head, snout lost, under jaw recurved, two teeth, eye with circular iris and pupil and the point of the eyeball turned backwards; the fragment is 7 inches high. It might conceivably be from a hogback; compare the rude dragon-head in Easington *h*; but Mr. J. C. Wall (*Reliquary*, xii., 3, p. 159, July, 1906), suggests that "it may have decorated the sedilia."

Also part of a lintel with a chevron-and-bead pattern on its under side, and the outline of the top forming a low arch, as if the stone were a rudimentary tympanum. (A 2.)

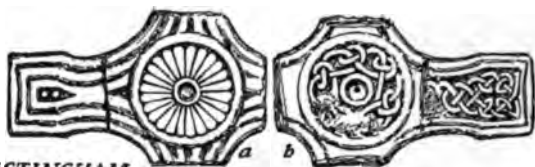
Of the stones figured here the cross-head (*a*, *b*) is neatly chiselled in dark grey stone; radius 11 inches, 5 inches across the arm, and 3½ inches thick; a beautiful example of Anglian work. Note the socket for insertion of a boss on either side, and the two beads in bold relief on the arm of *a*. (A 2.)



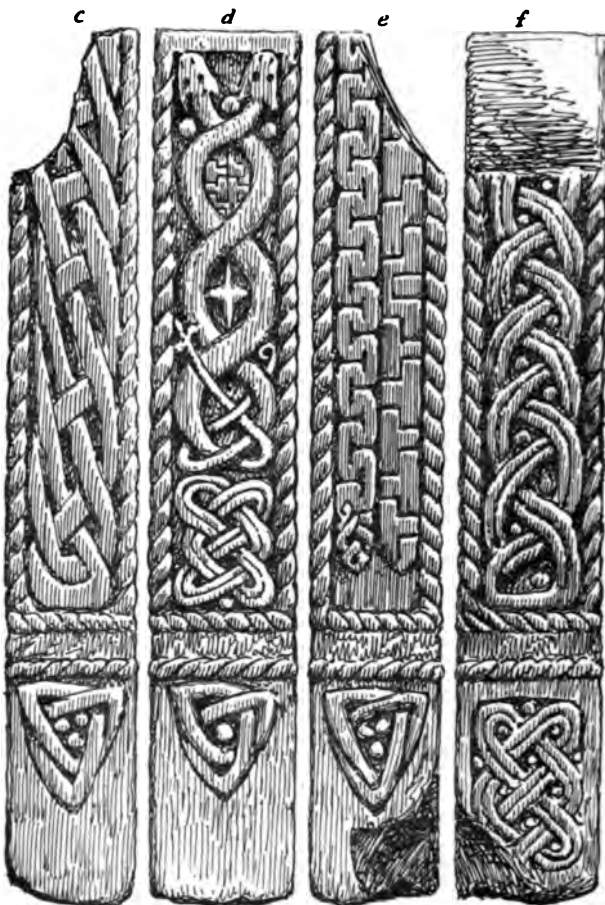
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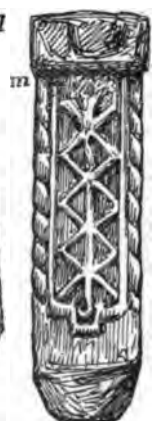
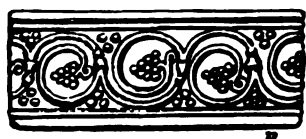




*LASTINGHAM*







The shaft (*c, d, e, f*) measures 55 inches tall, 9 inches broad, and 8 inches thick, slightly widening on the narrower face as it rises—quite contrary to custom. There is much that is unusual in the design, which is rather deeply and carefully chiselled, though not beautiful. Note the key-pattern running into a plait in *e*; the TLT design is found also in late crosses at Barton (Lancashire), and Glassonby (Cumberland), and in Wales and Ireland. Everything about this shaft suggests that Lastingham survived the Danish conquest, and did not remain deserted until the restoration in 1078. (B 3.)

The wood-carvings and the Ainhowe Cross are post-Conquest.

The great churchyard cross, of which the fragment (*g*) was found in 1838, near the east buttress of the porch (*The Monastic Church of Lastingham*, by J. C. Wall, pp. 90, 91), must have been about the largest of pre-Norman monuments. A big mortised stone in the churchyard is supposed to have been its base. The cross-head has a radius of 29 inches; breadth of arm, 11 inches; thickness in centre of head, 12 inches. The head alone must have been nearly 5 feet high; Ruthwell cross-head is 2 feet 10 inches. Bewcastle cross was about 21 feet high, including the head, now lost; this, to be well-proportioned, should rise about 24 feet above its base. The pattern on the fragment is weathered and obscure; at the end of the arm is a "cat's-cradle" pattern, incised. (A 2.)

The fragment of head (*h*) has also a "cat's cradle" on the end of the arm, but the same interlacing on the reverse. It is of a later type than *a*, having pellets in the plait, and perhaps a wheel. (A 3?)

The fragment (*i, j, k*) is  $8\frac{1}{2}$  inches high and  $4\frac{1}{4}$  inches thick at the edge, hacked into high relief with a thin, stringy plait; perhaps part of a broad shaft, with plain or slightly incised sides, like *l*. (A 3?)

The shaft (*l, m, n, o*) is of brown stone, 26 inches tall,  $6\frac{1}{2}$  inches thick, the face  $10\frac{1}{2}$  inches at base, above the tenon, to 7 inches at neck, under the wheel-head. The sides *l* and *n* are incised; the edges *m* and *o* are in relief. The T pattern is like *e*, and, according to Mr. Wall (*Reliquary*, xii., 3, p. 154), the key-pattern of *l* runs into interlacing above, as that of *e* does below. (B 3.)

The stones *p* and *q* are perhaps door-jambs of the Anglian church; *p* of brown stone, 7 by 18 inches on the face shown, finely carved in shallow relief on a flat ground. (A.) The fragment *q* is of white stone, 8 by 27 inches, the back knocked off and the sides without ornament. (A 2?)

LEVISHAM.—At the old church are the four fragments here figured. The two stones (*a*, *b*) are obviously parts of one grave-slab; each is 25 inches long by 18 inches broad at the broadest. The pattern is incised with the hack. The dragon's eye is circular. (B 2.)

The stone (*c*) is built in outside the south-east corner of the chancel;  $22\frac{1}{2}$  by  $11\frac{1}{2}$  by  $8\frac{1}{2}$  inches; the pattern deep cut, but weathered. Notice the asymmetry, and the trick by which a general feeling of balance is kept up. (B 3?)

The cross-head (*d*) is 10 inches broad and  $8\frac{1}{2}$  inches high; the other side is similar, but has four bosses. It is much defaced, and probably not pre-Norman, but a finial.

In the new church is the old round font, with a cable moulding and Maltese cross roughly incised; hardly pre-Norman.

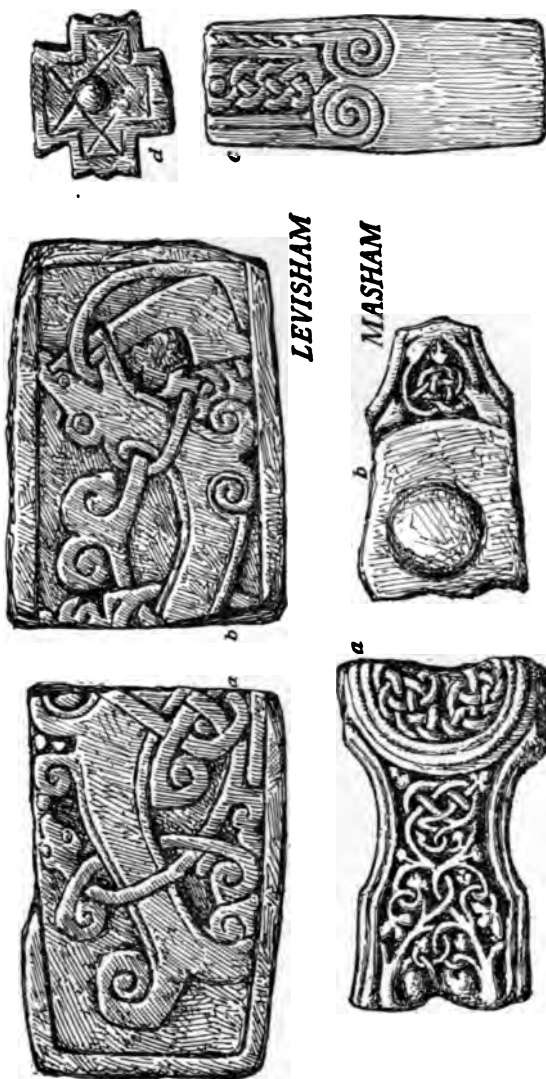
MASHAM.—In the church is an Anglian cross-arm (*a*), of yellow sandstone,  $22\frac{1}{2}$  inches long, 13 inches across the head,  $10\frac{1}{2}$  inches across the arm, and  $4\frac{1}{2}$  inches thick. It is defaced on the other side. (A 2.)

Also among the floriated crosses is a piece (*b*) much defaced, but apparently the centre and part of an arm of a similar cross,  $17\frac{1}{2}$  by 11 by  $3\frac{1}{2}$  inches. (A 2.)

In the churchyard is the great pillar figured in the next two plates, in which the surface of the cylinder is extended, to show all the carving in one view. It is a round column of coarse yellow sandstone, apparently much chipped at a recent date, and too weathered for complete deciphering. The highest course of panels, now  $15\frac{1}{2}$  inches tall, must represent Christ and twelve Apostles. The second course,  $21\frac{1}{2}$  inches high, seems to tell the story of a saint. The third,  $21\frac{1}{2}$  inches high, has four panels of figure subjects and three trees. The lowest course, 23 inches high, has seven panels of fanciful creatures such as are seen on other Anglian sculptures of our series; some of the grotesque appearance is doubtless owing to the weathering of the soft stone. The circumference on the band above the lowest course is 81 inches; that on the band beneath the Apostles is 76 inches; total height, 81 inches. (A 2.)

MELSONBY.—On window-sills at the west end of the church are two stones, which appear to be elaborated grave-slabs. The section at *a* shows that they are unusually thick and deeply splayed (the second is similar in form to the first). The cutting is also uncommonly sharp, and there is even undercutting in some details, but the design is Anglian.

The whole length of *a* is 33 inches, of which only 26 inches show pattern; the part occupied by the section is defaced. The











MASHAM shaft, upper half



MASHAM shaft, lower half

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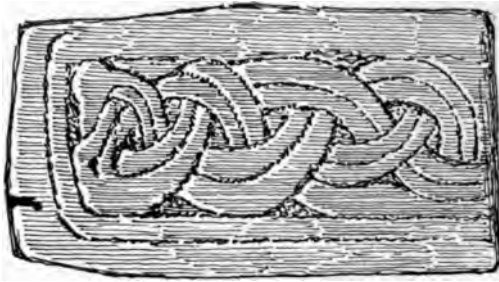
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MIDDLEHAM



MELSONBY



a





vertical edge is given at *b*, showing that the stone was once much thicker. This suggests comparison with the semi-cylindrical cross-shaft at Kirkby Stephen, and opens the question whether these are not, after all, unusual forms of shaft. The central panel at *a* is 8 inches broad, tapering to 7 inches. The splay is  $2\frac{1}{4}$  tapering to  $1\frac{3}{4}$  inches inside the frame. The vertical edge (*b*) is 4 inches broad, tapering to 3 inches. (A 2.)

The second stone (*c, d*) is rather less refined in the cutting, but on the whole a pendant to the first. It is 31 inches long; the central face is  $7\frac{1}{2}$  tapering to 7 inches broad; the splayed edge is  $2\frac{3}{4}$  to 2 inches broad without the frame; and the side *d* is 5 to  $4\frac{1}{2}$  inches including the frame. (A 2.)

The fragment (*e*) is kept in the vestry. It measures 7 by  $5\frac{1}{2}$  inches, and represents a goat (?) with another animal above it, perhaps a variant of the Hart and Hound subject, very neatly and minutely carved in relief.

MIDDLEHAM.—Outside the east end of the church is built in the stone figured, 17 inches broad and 31 inches high, merely incised with coarse hacking. At first sight there seems to be two dragons' heads at the top, but the design has been bungled. (B 2.)

MIDDLETON.—The cross (*a, b*) at the east end of the north aisle, is remarkable for simulating the effect of a wheel-head by the insertion of four cylinders in the "arm-pits." The top of the cross is in the form of the "hammer-head," frequent in Cumbrian crosses of a late pre-Norman type. The interlacing of *a* on the shaft is of a distinctly Viking Age type; note the pellet in the middle of the circular plait. The other edge has little spirals on the end of the arm and a rude plait below (to alternate with *b*), and below the carving some rude scratches as if an attempt had been made to sketch an animal. The back is filled with small interlacing. The cross is of light brown sandstone, the pattern hacked lightly; the height is  $58\frac{1}{2}$  inches; the section 14 by  $9\frac{1}{2}$  inches at base, 10 by  $6\frac{1}{2}$  inches at neck; the head is 14 by 7 inches. (B 3.)

The shaft-fragment (*c, d*) is of coarse buff sandstone, 18 inches by 12 tapering to  $10\frac{1}{2}$  inches, and 7 inches thick (but some of the thickness is lost); very massive and deep cut. It stands on a window-sill. Note the hand apparently bound to the side of the figure, and compare Kirklevington *w*; and the beard, comparing Kirkdale *a*. (B 2.)

The fragments (*e, f*) of head and shaft are cemented together, though all the centre of the head is lost. The monument as it stands is 21 inches high; the shaft  $9\frac{1}{2}$  by 5 inches at base, tapering



to 9 by  $4\frac{1}{2}$  inches at the neck ; very rudely hacked, the front deeply, the edge shallow cut. (B 2.)

The slab (*g*) is built in, high on the west end—too high to get measurements, and the figure is not to scale. It is cut in low relief, the disc deeply incised with a hole in the centre, as in Lastingham *a*, *b*, and other Anglian crosses. Prof. Baldwin Brown (*The Arts in Early England*, ii., p. 340) dates the west tower late pre-Norman ; this slab is probably A 2.

NORTHALLERTON.—At the east end of the south transept are nine pre-Norman fragments.

The cross-head (*a*, *b*, *c*) has been a beautiful piece of work, of the Anglian type, with superimposed cross, whose arms end in bulbs (nearly, but not quite, what I call elsewhere the *lorgnette* pattern), and the open centre is filled with flat pellets and plaits very like the bottom of the Ormside Cup in York Museum. The zigzags of *c* are seen again in fragments of a cross-arm at the Abbey, Carlisle. This head is of buff sandstone, neatly chiselled ; radius 12 inches, thickness  $5\frac{1}{2}$  inches. (A 1.)

The shaft-fragment (*d*, *e*, *f*) might be part of the same monument as *a*. It is of buff sandstone, neatly chiselled, but now in a very fragile condition, coming off in flakes when handled. It is 15 inches tall,  $8\frac{1}{2}$  inches across the side *e*, the opposite side to which has been cut away, diminishing the breadth of *d* and *f* from its original 10 inches.

The fragment (*g*) is 11 inches broad, carved in deep relief in buff sandstone ; apparently of the same period as the preceding. (A 1.)

The wheel head (*h*, *i*) measures  $14\frac{1}{2}$  inches diameter ; roughly hacked ; the other side and edge of similar pattern. (B 2.)

The wheel-head (*j*, *k*) is about 13 inches diameter ; roughly hacked ; the other side and edge similar. (B 2.)

The wheel-head (*l*) is about 14 inches diameter ; roughly hacked ; it has a four-strand plait (like *k*) on the edge. (B 2.)

The cross-arm (*m*), from a free-armed cross, is the same on the other side, with no pattern on the end of the arm. It measures 10 inches across the end of the arm ; hacked or rudely chiselled. (A 3.)

The shaft-fragment (*n*, *o*) has lost one edge and the back ; it measures 9 inches broad as it stands. (B.)

The neck of a cross (*p*, *q*) is 10 inches long and 8 by  $5\frac{1}{2}$  inches in section, buff sandstone, chiselled. The other side and edge are of the same design. Note the rings supposed to go through the arris, as in Brompton *h*, *i*, Kirklevington *y*, and Stanwick. (B.)



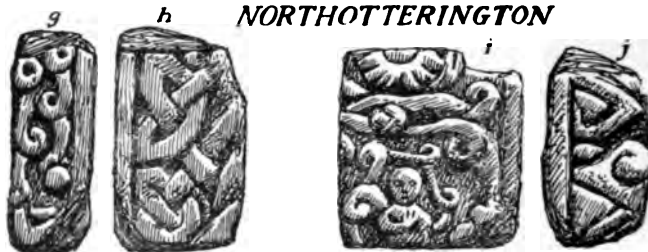
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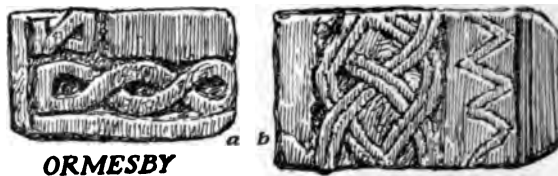


**NORTHOTTERINGTON**

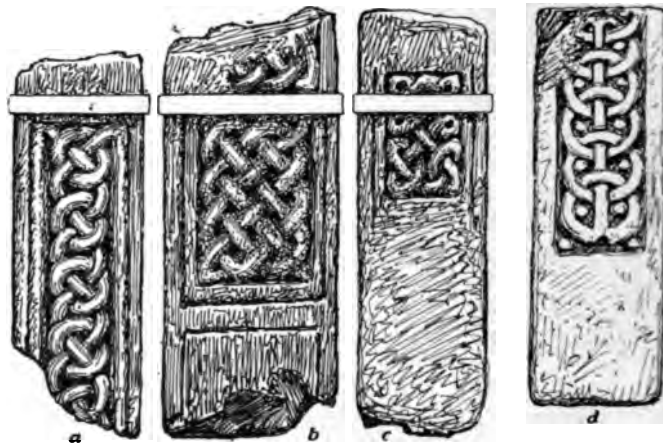


**OLD BYLAND**





**ORMESBY**



**OSMOTHERLEY**



**OSWALDKIRK**

NORTH OTTERINGTON.—Five fragments are kept in the east end of the south aisle.

The wheel-head (*a, b*) measures 16 by 10 inches, and 5 inches thick. The side *a* is chiselled and hacked, the boss flat, and not in the centre; this was the back. The front (*b*) has a crucifix, very rudely chiselled. The holes are not pierced. (B.)

The shaft-fragment (*c, d, e, f*) is  $21\frac{1}{2}$  inches long and 12 by 8 inches thick. The four sides are very boldly chiselled; the strap in *c* and *e* is flat and bevelled. The subject of *d* seems to be Christ's charge to Peter. (B 3?)

The shaft-fragment (*g, h*) is 13 inches long and 12 by  $7\frac{1}{2}$  inches thick, but much is lost from the other side and edge. The edge *g* is deeply carved; *h* has a bold flat strap on a deep-cut ground. (B.)

The shaft-fragment (*i, j*) is  $12\frac{1}{2}$  inches high, and what remains of the stone measures  $11\frac{1}{2}$  by  $6\frac{1}{2}$  inches in thickness. It is deeply chiselled, similar in design and handling to the preceding. (B.)

The stone (*k*) measures 15 by 15 inches, and 5 inches thick. The back seems to have been tooled, but has no ornament. The design, which is chiselled and hacked, suggests a grave-slab. (B 2.)

OLD BYLAND.—The dial figured is built into the east wall of the tower, upside down; discovered in 1846 by Father Haigh, who read the inscription, "Sumarledan Huscarl me fecit," *i.e.* "Sumarledi's huscarl made me," or "Huscarl made me for Sumarledi." It is of the same stone and style of carving as the Norman interlaced dragons forming the frieze of the porch and the ornamented sill of the window above. It is of yellow sandstone, measuring about  $12\frac{1}{2}$  by 17 inches. It has been referred to the ninth century, but seems more like late eleventh century work.

ORMESBY.—Outside the east wall of the vestry is built in the fragment (*a*) of red sandstone, about 14 by 8 inches, with a flat strap, hacked. (B.)

Outside the south wall is built in the fragment (*b*), 18 by 10 inches in measurement. The moulding-lines are chiselled; the chevron is incised with hacking, and the plait is outlined with the hack, while the ground is chiselled away. Perhaps both these are parts of grave-slabs. (B.)

Also lying on the south side of the church is part of a hogback (not figured) with tegulæ. The ridge is scabbled away, reducing the height to 8 inches. One side and both ends are lost, making the breadth 16 inches and the length 33 inches.

There is also a large old circular font lying near it, without ornament, but as yet in good condition.



OSMOTHERLEY.—In the porch, cemented to the wall, but not built in, are four stones; the shaft (*a, b, c*) is also fixed with an iron band, left blank in the figure. This shaft is of yellow-brown sandstone, measuring 27 by 11 by 8 inches, with hardly any taper; rather neatly chiselled and cut deep. (B 3.)

The shaft (*d*) is of the same stone. The face *d* is 8 inches broad; the present thickness seems to be 9 inches, but the back is fixed to the wall, and the two sides are defaced. The cutting is very neat, and cleared out to the ground; Scandinavian chain-plait. (B 2.)

The hogback-fragment (*e*) is 31 inches long and 9 inches high as it stands now; it would have been 38 or 39 inches long, making a very small hogback. The pattern on *e* is hacked; but *f*, the design on the ridge, seems to be chiselled. (B 2.)

The cross-head (*g*) is 10½ inches broad, 8½ inches high, and 4 inches thick; of the same stone, neatly chiselled. Note the deep socket-hole in the centre. (A 3.)

OSWALDKIRK.—In the north-east corner of the nave are two fragments. The Virgin and (swaddled) Child (*a*) are on the end of a shrine-tomb; face 13 by 12 inches, buff sandstone, slightly relieved and with deep incised outline. (B.)

The hogback-fragment (*b*) is deeply cut; the face drawn measures 14 by 10 inches; thickness at base, 18 inches. (B.)

PICKERING.—A fragment of cross-shaft *a, b, c, d* is kept on a shelf in the church. The stone measures 12 inches long, and in section 9 by 7 inches, tapering to 8 by 6 inches. It is deeply cut with the hack. The dragon has an oval eye with no point; the plait on the side *c* is curious in the way it creeps out of the frame. (B.)

Mr. J. E. Morris (*Guide to the North Riding*, p. 288) mentions "some fragments of Saxon knotwork" in the north chancel chapel. I could find only fragments of Norman chevron moulding, built into the wall by the tower, south side.

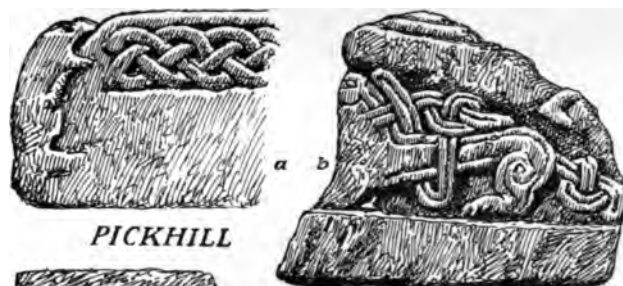
PICKHILL.—Inside the tower are preserved four fragments.

The piece of a hogback (*a*) is of rather finer grained and lighter sandstone than *b*. The sides of *a* have been scabbled down to 7 inches broad; the height is now 13 inches. Below the plait there seem to be a row of tegulæ (?), much destroyed. Rough hacked work. (B 2.)

The part of a hogback (*b*) is 18 inches high, 19 inches long, and 12 inches thick at base; of the local buff sandstone. The other side shows traces of three-strand straps interlaced, and the bear's leg; note the other leg above the dragon's tail in *b*. The point of the dragon's eye is turned backwards. (B 2.)



**PICKERING**



**PICKHILL**









REYCROSS

The stone (*c*) is 22 by 13 by 6 inches; fine-grained sandstone. At both sides are defaced plaits; no ornament on the reverse. The contours of *c* are deeply chiselled, and the holes at the intersections of the plait are drilled; all very smoothly cut. (A 3.)

The shaft-fragment (*d, e, f*) is rude work. The figures on *d* may be Adam and Eve. The pattern of *f* is a Scandinavian design, as at Kirklevington and Leeds; but it seems to have been suggested by *c*. The stone measures  $14\frac{1}{2}$  by  $10\frac{1}{2}$  inches, and 5 inches thick; deeply hacked, the holes not drilled. (B.)

REY CROSS ON STAINMOOR.—This is just within the border of the North Riding, though formerly regarded as the boundary mark. The name Ray or Rear Crag, on Coniston Fells, also a boundary mark, may be compared with Rey or Rere Cross, from *rá*, early Norse for 'landmark,' *rá-merki*=a 'boundary mark' in old Norse law. The "Reir Croiz de Staynmore" is mentioned in the "Scalacronica" (dated 1280 by Skene, *Chronicles of the Picts and Scots*, p. lix.), as the boundary fixed by King Edward (died 946) between Scottish Cumberland and England. In 1258 the Bishop of Glasgow claimed "Rer Cros in Staynmor" as the limit of his diocese. There are myths connected with it by old writers which make it of fabulous age, but it is certainly the fragment of a pre-Norman cross, of which the neck and lower part of the wheel-head seem to be still visible. Speed (1623) describes it as "a stone crosse, on the one side of whose shaft stood the picture, and armes, of the King of England, and on the other the visage and armes of the King and kingdome of Scotland"; from which it is plain that the weathered forms now traceable with difficulty, at the bottom of the western side, as a rudely hacked pattern of diverging straps and pellets, were seen three hundred years ago as human figures and ornament. The stone of which it is made, yellowish white grit, very rough, with large pebbles in it, is the same as that used for Anglo-Danish crosses in the neighbourhood, e.g. the Bound Devil at Kirkby Stephen. The base or socket-stone measures 26 by 27 inches, and stands 14 inches out of the ground; the shaft is  $27\frac{1}{2}$  inches high above the base, and is  $11\frac{1}{2}$  by 10 inches thick. The shaft was fixed into its base and railed in at the joint expense of the Yorkshire Archæological Society and the Cumberland and Westmorland Antiquarian Society in 1887. (B 3?)

SINNINGTON.—Over the porch is *a*, recently found; 12 by 17 inches. Probably part of a Norman tympanum.

The cross-head (*b*) is 18 by 11 inches. Another side has a cable-moulding and perhaps interlacing, but the stone is much broken. (B.)

In the south wall, outside, is the cross-head (*c*), about 18 inches high. (A 3.)

Near *c* is *d*, about 14 inches broad. Note the snake "as" Longinus. (A 3.)

The fragment (*e*) is in the north wall, outside; about 9 by 9 inches.

The shaft (*f*) in the west wall, inside, is 33 by 12 inches. The dexter edge has an eared plait. The dragon's eye points forward. (B 2.)

The shaft (*g*) is a window jamb near *d*; about 28 by 12 inches. (B 3?)

In the masonry blocking the west door is *h*, 25 by 6 inches; hacked. (B.)

Inside the north window is the shaft (*i, j*), 23 inches long, and in section 10 by 8 inches, tapering to 8½ by 6½ inches. (B.)

In the west door is *k*, 24 by 10 inches; hacked, shallow relief. Note corrections of wrongly cut interlacings. (B.)

In the west wall, inside, is *l*, 13 by 9½ inches; ill-designed plait. (B.)

In the north wall, outside, is *m*; deep cut; about 8 by 8 inches. (B.)

In the west door is *n*, 10½ by 9 inches; shallow hacked. (B.)

In the west door is *o*, 8½ by 5½ inches; deeply hacked. (B.)

Also at Sinnington, not figured here, are:—

(1) A hogback built into the lower course of the north wall, outside, with a bear's head very well and boldly carved. (B 3?)

(2) A shaft-fragment, 13 by 9 inches, like *l*, but no plait; built into the west doorway. (B.)

(3) On north wall, outside, a shaft-fragment, about 9½ inches broad, with cable arris and incised moulding, but plain face.

(4) In a jamb of a south window, inside, a fragment with cable-moulding, and large double-ring interlacing. (B.)

(5) Built in at the west end is a dial, with no rays, but with twenty-four drill-holes all round the central gnomon-hole.

And on the north wall one or two doubtful fragments.

SKELTON-IN-CLEVELAND.—In the churchyard Mr. T. M. Fallow, F.S.A., found (1891) part of a dial-stone, now in his possession, with inscription in Anglo-Saxon uncials and in runes, dated about the eleventh century. It was described in *The Reliquary*, N.S., vi., p. 65. The inscription reads . . . ES . LET . . . NA . GBERA . . . OC . HThA . . . A . COMA, and the runes, NAIEBEL . OK, which Professor George Stephens emended into *Nat-ebel ok*, "nut-apples and"! Not mentioned by W. Vietor in *Die Northumbrischen Runensteine*.





**Abstract**

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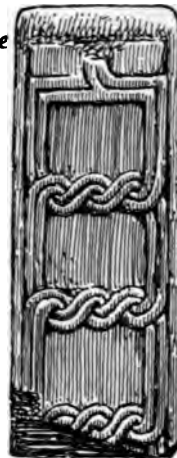








STANWICK



SPENNITHORNE.—In the east wall, outside, is the shaft (*a*), 44 inches long by  $11\frac{1}{2}$  tapering to 10 inches, of light-yellow sandstone, very soft and weathered. The ornament is slightly hacked, and difficult to make out. There are three figures standing, and possibly meant for Christ bearing the Cross; while above is a pattern, which I have tried to draw, but without being able to see what it means.

The grave-slab built into the vestry wall, inside (*b*), is 59 inches long by  $17\frac{1}{2}$  tapering to 19 inches broad. The stone is a very coarse yellow grit, and the coarseness of the stone makes the traces of tool-marks obscure. The ground is sunk, and the design intentionally irregular. Mr. Romilly Allen remarks that the bifurcation of the cords is a characteristically Scandinavian feature, as on the Leeds Cross.

STAINTON.—Into the north wall of the chancel, outside, several fragments are built. The fragment of shaft (*a*) is of brown sandstone, about  $16\frac{1}{2}$  by 9 inches (too high up to reach with the tape), and seems to be two pieces cemented at the joint, which accounts for the loss of the heads of the figures (perhaps John and Mary at the foot of the cross). The strap-work is flat, chiselled in moderate relief. (B 3?)

The cross (*b*) is part of a slab like Middleton *g*. It is of the same brown stone, about 17 by 17 inches. The crosslets in circles are in very flat relief, chiselled. (A 3?)

The bear (*c*) is no doubt from a hogback; boldly carved, about 15 by 10 inches; built in the wrong way up, but very like Brompton *b*. (B 3?)

STANWICK.—The two stones (*a*) and (*b*) are built into the south wall of the church, outside; dark buff sandstone, neatly chiselled; *a* measures 24 by  $7\frac{1}{2}$  inches, *b* is 24 by 8 inches. They seem to have been jambs or other features of the church that was here before the Early English building. These fanciful birds appear to be of the class represented by the lowest panel in Brompton *f*. (A.)

The cross-shaft represented by *c, d, e, f* is now in two fragments, of which the lower one stands in the churchyard on a base apparently original. The base measures 23 by  $21\frac{1}{2}$  by 13 inches high from the turf, and has vertical rectangular grooves,  $1\frac{3}{4}$  inches broad and three-quarters of an inch deep, in the middle of the narrower sides.

The shaft in the churchyard (lower part of *c, d, e, f*) is 27 inches tall from the base, and in section 12 by  $6\frac{3}{4}$  inches, tapering to  $11\frac{1}{2}$  by  $5\frac{3}{4}$  inches. Like the base, it is of hard grey stone, too much lichenized for the cutting to be seen.

The stone represented by the upper part of *c, d, e, f* is in the church, having been found in the fabric inside; the top has evidently been rounded off to make it into a corbel. It measures 29 inches tall, and in section  $11\frac{1}{2}$  by 5 inches, tapering to  $10\frac{1}{2}$  by 4 inches. (B.)

There are also at Stanwick, but not figured here:—

(1) and (2) Muzzled bears' heads, evidently from a hogback, now built into the porch. (B.)

(3) A fragment of rough coarse stone, with a neat single-strand plait.

(4) A figure, under an arch and hidden by a pew.

(5) A stone with double-strap plait, hidden by a pew.

(6) Another, like (5).

(7) A stone with leaves incised, which may be an early coffin lid.

The cross-head (*g, h*) is of light-buff coarse sandstone, rudely hacked,  $14\frac{3}{4}$  by  $12\frac{1}{4}$  inches, and  $3\frac{1}{2}$  inches thick. It has a boss on each side. Under the boss in *g* the stone is broken, and it cannot be determined whether the little hole is an accident or the eye of a dragon head; probably the former. Note three fingers only to each hand. (B.)

The shaft (*i, j*) is in two pieces cemented together and set up on a modern base inside the church; it was discovered in the foundations during restoration. The upper fragment is  $13\frac{1}{2}$  inches high, by  $8\frac{3}{4}$  by  $5\frac{1}{2}$  inches, tapering to  $7\frac{3}{4}$  by 5 inches under the neck. The lower fragment is  $36\frac{1}{2}$  inches high from the socket stone, and in section 11 by  $7\frac{1}{2}$  inches, tapering to  $9\frac{1}{4}$  by 6 inches. The lower part of the shaft is rounded off, approaching a cylindrical form, except just at the foot. The figures of the hart and wolf, etc., are hacked, but the little head terminating the cable is beautifully and delicately carved, showing that the rough hacked work is not the result of a carver's ignorance. The wolf's eye is circular. (B 3.)

The fragment (*k*) is hacked,  $14\frac{1}{2}$  by 9 inches, and resembles the pieces mentioned above as (5) and (6). (B 2?)

The fragment (*l*) is built into the church inside; clean chiselled,  $13\frac{1}{2}$  by  $8\frac{1}{2}$  inches; the hart again. (B 2.)

The fragment (*m*) is built in, and partly hidden; the material and cutting resemble *l*, with the 'frog' pattern. (B 2?)

The fragment (*n*), built in, is of dark-buff sandstone, hacked, 11 by 9 inches. The animal may be the lamb over the bound Loki; the spiral snakes are like Crathorne *c*. (B 2.)

The fragment (*o*), 23 by 6 inches, is roughly chiselled, in a liney style; it seems to represent Loki, bound. (B 2.)

STARTFORTH.—A cross-head, with stumpy or cut-down arms, the boss on one side surrounded with two circles, and that on the other surmounted by a small superimposed cross; the whole stone,  $18\frac{1}{4}$  inches high, is now in the Cathedral Library, Durham (No 49 in the Catalogue).



STANWICK









STONEGRAVE







STONEGRAVE.—The great cross (*a, b*) is set up inside the church, upon an old grave-cover as base.

The cross is 68½ inches high as it stands; the wheel-head 21 inches across arms. The shaft is in section 15½ by 9 inches near the base, tapering to 11 by 7 inches under the neck. It is of limestone. The other side and edge are similar to *a* and *b*, but are rubbed; and as the other side is against a pillar, it is not easy to draw. In *a* the upper figure is apparently sitting, and holding up a book (?) in the left hand. Mr. Romilly Allen, on reading the proof of this paper, sent me a photograph of the cross by Dr. G. A. Auden, of York, from which, he says, "I make out the object at the top right-hand corner of the shaft to be a Celtic quadrangular bell, and the rectangular object on the breast of the figure at the bottom to be a book-satchel, as on the crosses at Papil and Bressay." The unusually Celtic character of this cross has been pointed out (pp. 279, 293), and one is tempted in this connection to recall the relations of immigrants like Eric Bloodaxe with the Orkney earldom. (B 2.)

The grave-slab over which the cross stands has a central panel and a broad band of five-strand interlaced strap-work round it. The slab is slightly bombé, but does not rise enough to approach the form of a coped stone.

The seven stones figured opposite are all in the church near the door, and all of the same material, the local buff sandstone.

Part of a hogback (*c*), 24 inches long by 10 inches high and 9 inches thick, with a bird on an animal (lamb with dove descending upon it?). Other sides broken. (B.)

Part of a hogback (*d*), like *c* in style, 24 by 9 inches and 8 inches thick as it stands. It has two greyhounds back to back with a broken interval between them. Other sides broken. (B.)

End of a hogback (*e*), closely resembles *c*, though hardly part of the same monument. It seems to have had no bear at the end, which is a flat upright surface, incised for a panel which, however, contains no ornament. It has a cable arris, interlacing in narrow bands and the hollows deeply hacked (not chiselled, I think). The central panel seems to have a figure, but the surface is much broken. This stone retains traces of rosy red paint, like Kirklevington *aa*. (B.)

The shaft-fragment (*f, g*), is 12 by 7 inches in section, with rough deep cutting, apparently hacked. The other side is like *g*; the other edge defaced. The lowest dexter fold of the plaits in *g* is alone angular. (B.)

The shaft-fragment (*h, i*), measures 11 by 8 inches in section; the cutting is rough and deep; the straps of *h* narrow; *i* has been

chiselled down for builder's use and the surface destroyed. The other sides are defaced. (B.)

The shaft-fragment (*j, k*), was originally 10 by 10 inches in section, roughly cut, but the interlaced ropes are rounded, and there has been a cable arris rather delicately cut and now nearly worn away. The figure in *j* seems to have his left hand up to his breast, his right hand to his ear; the head is of the Moone Abbey type. There is part of another figure, and over each is the foot of a column of different pattern. (A 3?)

The shaft-fragment (*l, m, n*), is 11½ by 5 inches in section. The other edge is similar to *m*, which is merely incised, while *l* and *n* are chiselled in relief. (A 3.)

THORESBY, near Bolton Castle.—A fragment, of which Mr. Romilly Allen has kindly shown me his sketch, bears a four-ply single-strap interlacing, of open work, as in Stonegrave *b*.

THORNABY-ON-TEES.—Built into the old church (Early Norman), outside, are two stones, possibly pre-Norman. The stone (*a*) is in a re-entrant angle at the south-east corner; it measures 14 by 12 by 7½ inches; soft yellow sandstone, deep cut, and neatly chiselled.

The stone (*b*) is beneath the east window, of very soft decaying yellow sandstone, 13½ by 5 inches, with runes. Professor George Stephens, of Copenhagen, in *The Runes, whence came they?* (1894, p. 15), mentioned a Runic scribble below a small sun-dial, and read: IT BISTR IS AN BIVIK, 'This is the best at Biwik,' and dated it about 1100. On this stone one can read II BISTR III, but there is hardly room for the whole inscription. The 'sun-dial' was perhaps a stone near it, with a weathered hole and irregular marks like radii, too far gone in decomposition to judge now. This inscription is not noticed by W. Vietor in *Die Northumbrischen Runensteine*. (C 1.)

THORNTON STEWARD.—The cross-head (*a, b*), preserved in the chancel, is well carved in fine sandstone, 18 inches broad, and 14 inches high to the break at the base. On the end of the arm is a plait. (B.)

The cross-head (*c, d*) is in two pieces; the stone *c* measuring 17 inches high, 13 inches broad, tapering to 11 inches at the neck, and 7½ inches thick at bottom. The stone *d* is 8 inches across the end of the arm and 5½ inches thick. The back is very like the side drawn; on the edges of the shaft are plaits; all rough hacked. Note the want of sequence in the plait of *c*, and the disproportion between the hand and feet of the crucifix. (B.)



*THORNABY*



*THORNTON  
STEWART*



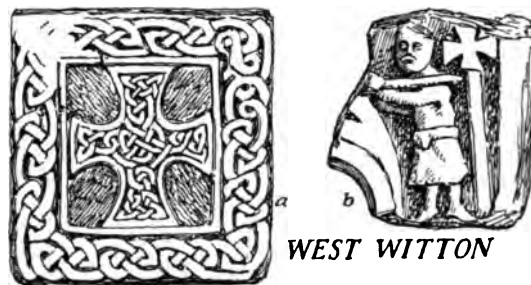
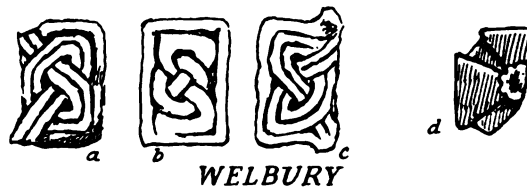
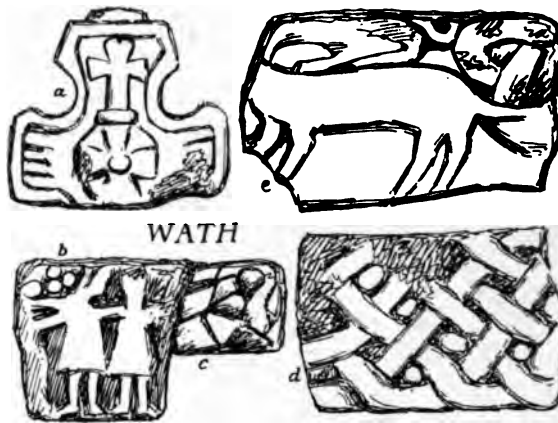
*TOPCLIFFE*











TOPCLIFFE.—The cross-head is preserved in the church porch. It is of coarse light-buff sandstone, 17 inches diameter and  $5\frac{1}{2}$  inches thick; rather neatly carved and moderately deep, the edges rounded off, and the wheel bevelled. The other side is like the figure, but without the second incised line in the cross. (B).

WATH.—The pre-Norman fragments, preserved by the late Rev. W. C. Lukis, F.S.A., a former rector, are built into the organ chamber, except the cross-head (*a*), which is in the vestry. This head measures  $13\frac{1}{2}$  inches broad, 13 inches high, and 7 inches thick; the other side is like the one drawn, but much worn, and on the end of the arm is a square with the corners joined, incised. The pattern of *a* is incised with the chisel; note the appearance of rude hands on the lateral arms. (A 3.)

The fragments (*b*) and (*c*) are built in above another fragment, of which the carving is defaced. They are together  $17\frac{1}{2}$  inches broad, and *b* is  $9\frac{1}{2}$  inches high; rather deeply hacked, with figures (Adam and Eve?), and a rough 'rusticated' design, like Kirkby Hill *c*. (C 1?)

The fragments (*d*) and (*e*) were found in a buttress, and are built in together as drawn; *d* has a flat strap and pellets, roughly done with chisel and drill, and measures 16 by  $11\frac{1}{2}$  inches. The other, *e*, measures 20 by 12 inches, and bears the hart and hound.

WELBURY.—The figures (*a*, *b*, *c*) represent two sides and the end of a cross-arm, from the rectory. (A 3.)

The cross-head (*d*) is probably post-Conquest (a finial?).

These two stones are drawn from material kindly supplied by the Rev. Carus Vale Collier, F.S.A.

WEST WITTON.—In the vestry, built in, is the slab (*a*), of light-red sandstone, 16 inches broad and  $17\frac{1}{2}$  inches high, carved in neat rounded chisel-work, with no ground showing in the plaits. The spaces between the cross-arms have been (recently?) scabbled with a  $\frac{3}{4}$  of an inch chisel. (A 3.)

The cross-arm (*b*) is at the vicarage. It is of coarse brownish-grey grit,  $13\frac{1}{2}$  inches high, 13 inches broad, and 9 inches thick; very deep cut, the other sides defaced. The figure may be the sponge-bearer in a crucifixion.

WENSLEY.—Built into the north wall of the nave, inside, is the slab (*a*), with the name of Donfrid. It is of brown sandstone, deep chiselled,  $16\frac{1}{2}$  inches high and  $9\frac{1}{2}$  inches broad. The edges are sharp and clear, except in the dragons' bodies, which are softened off. The design is asymmetrical, the sinister side drooping. (A 1.)

Near it is the slab (*b*), with the name of Eadbereht; brown sandstone, 14 inches high and 13 inches broad, the moulding rounded and deep cut, the cross in shallow relief. This stone was found by Father Haigh in 1846 as a flag in the pavement, outside, and as Symeon of Durham mentions, under 740, "Aruwini et Eadberctus," he thought this might be their tombstone. (A 1.)

The fragment (*c, d, e*) was taken from the east wall of the Early English chancel, inside, on November 3, 1904, in my presence, and cleaned by me. It is of whitish-yellow sandstone, well chiselled, with rounded arrises and stems, unusually neat in the clearing of the ground. It measures 12 inches high; the complete stone would have been 6 inches thick; the side *d* is 10 inches broad, tapering to 9 inches. The other side has been cut away. (A 2.)

The fragment (*f, g, h*) was taken from the chancel wall in October or November, 1904. It is of similar stone to *c, d, e*, 14½ inches high, 9½ inches broad, tapering to 8 inches, and would have been about 4 inches thick. The back is destroyed. Perhaps this and *c, d, e* had no ornament on the reverse, but were grave-slabs. (A 2.)

The shaft-fragment (*i, j, k, l*) is kept in the church; it is of coarse sparkling sandstone, 13½ inches high, and 10 by 13½ inches in greatest section; very roughly cut, but strongly modelled. (B 2.)

Built in on the north of the tower, outside, is *m*, the lower part of a cross-shaft, of which the continuation, without ornament, but with tenon to fit a socket, is not drawn. It measures about 21 by 12 inches. The ground inside the plait is sunk. (C 1.)

Also built in near *m* is *n*, measuring 13 by 6½ inches.

Not figured here are two stones in the south porch:—

(1) The shaft of a cross, with plain double-bead moulding.

(2) The head of a wheel-cross, with no ornament, or too much weathered for the ornament to be now visible.

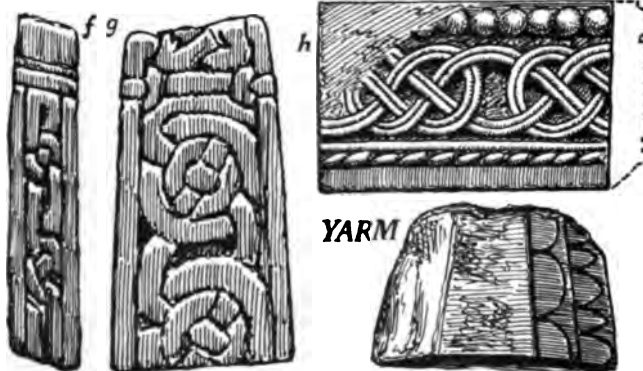
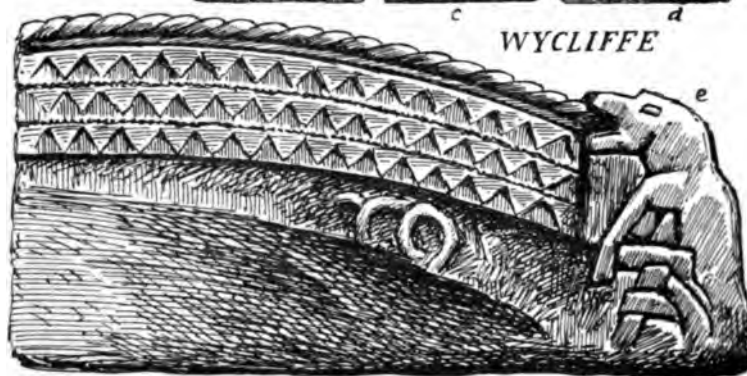
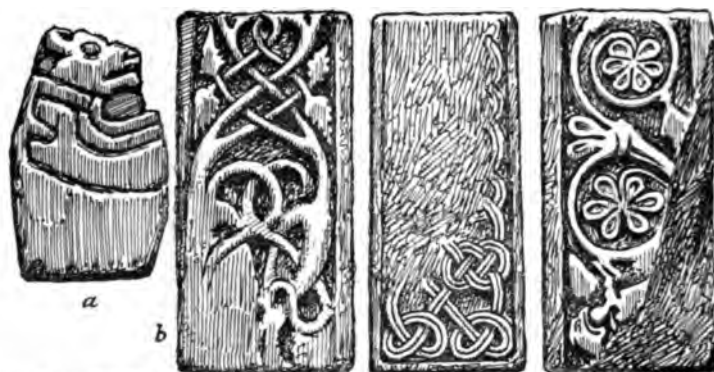
WHITBY.—Mr. Romilly Allen has kindly shown me his sketch of a fragment, the shaft and neck of a cross, measuring 18½ inches in height, 9 inches broad at the base but tapering to 7½ inches below the head, by 5 inches thick. The plait on the front is double-strap, and resembles Kirklevington *v*, but eared at the top of the panel like Kirklevington *æ*. On the edge is a single-strap twist like Kirklevington *bb*, but more open, and with only one moulding round it.



1941







YARM

WYCLIFFE.—The stones figured are (1905) in the rectory coach-house, having been taken out of the fabric of the church at restoration.

The bear's head (*a*) is apparently the end of a hogback differing from the Brompton type. It measures 15 inches high, and  $9\frac{1}{2}$  inches square in greatest section. It is solidly carved, the surfaces flat, with deep incisions to mark detail. The other side is somewhat defaced, but has a bit of step pattern. (B.)

The shaft-fragment (*b, c, d*) is 23 inches tall, and 10 by 9 inches in section. It is carefully carved; the edges of the reliefs are rounded into softness, and at the bottom of *d* is a bird's head of the Croft type. (A 2.)

Part of a hogback (*e*), is 47 inches long as it stands, 23 inches high at the top of the ridge, and 11 inches thick. The ridge is formed of a double cable. All rudely hacked. (B 2.)

The shaft-fragment (*f, g*) is 22 inches high, 12 tapering to 9 inches in breadth, and  $4\frac{1}{4}$  inches thick. It has a flat strap chiselled and hacked, rather deeply cut. Note the rings through the arris as in Brompton *h*. The other side and edge are like those shown. (B 2.)

The bit of a door-jamb (*h*),  $18\frac{1}{2}$  by  $11\frac{1}{2}$  by 8 inches, is deeply chiselled, the ground cleared out flat, the rope-plait rounded and undercut; no pattern on the other sides. The dotted lines show the section of the ornamented face of the stone. (A 2.)

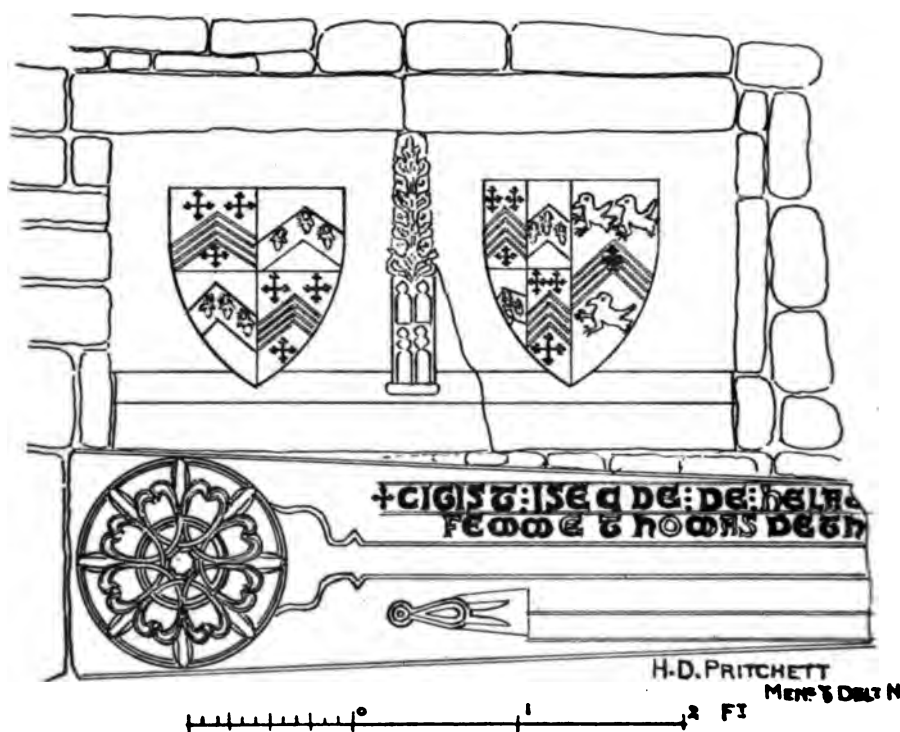
There is also at Wycliffe a small bit of well-cut but weathered plait-work, 7 by 4 by  $3\frac{1}{2}$  inches, the interlacing tight and showing no ground; probably the arm of a cross. (A.)

Professor George Stephens (*O. N. Run. Mon.*, i., p. 476) mentions a fragment of grave-cross with inscription, not in runes—"Bæda set after Berchwini"—which he dates about eighth century, as having been found at Wycliffe, but lost.

YARM.—The "Trumbercht" or "Heriberecht" shaft is now at Durham in the Cathedral Library (No. 50 in the Catalogue); but in the church, at the east end of the south aisle, among fragments (two of which are cross-heads but apparently post-Conquest), is the part of a coped gravestone, figured. It is  $15\frac{1}{2}$  inches broad,  $9\frac{1}{2}$  inches long, and  $6\frac{1}{2}$  inches thick, but the ridge has been cut away and only these tegulæ—different from the Norman tegulated coping stones also seen here—remain to suggest a grave-cover of a type approaching the hogback. These stones were found on the site of the grammar school, in the present churchyard, but probably came from the fabric of the ancient church.

# WYCLIFFE COAT OF ARMS

ON OUTSIDE OF SOUTH WALL OF  
WYCLIFFE CHURCH N. YORKS.



## SCULPTURED STONES AT WYCLIFFE.

By H. D. PRITCHETT.

THE sculptured stones represented upon the opposite page have been preserved by being let into the south wall of Wycliffe-on-Tees, North Yorkshire, at a height of about six feet from the ground to the centre of the cross-shaft. The freestone grave-cover was found in 1801, close to the foundations of the church, whilst some rubbish was being removed. It formed the cover of a stone coffin, which was found to be empty, and had previously been opened and rifled. The cover, unquestionably a work of the thirteenth century, presents a most beautiful and perfect foliated cross, the head of which stands out half an inch or more from the surface of the stone, whilst the sinkings are down to the same plane. The inscription is in flush leaded letters, most of which are perfect. In the drawing, the letters which are perfect are shown black, whilst those from which the lead is missing are in outline only. The inscription appears to be:—  
 ✠ CI GIST : ISEQDE : DE : HELA . . . FEMME THOMAS  
 DE TH . . . [? Thorpe].<sup>1</sup>

The stone above the grave-cover is a single slab of Tees marble or blue limestone, with a pinnacle or finial in the centre, dividing two shields of arms. It has a broadly splayed base, and has no doubt at one time formed part of a Wycliffe monument or altartomb, and most probably was placed in its present position, along with the grave-cover, soon after 1801. The carving is in a wonderful state of preservation, the shields standing out as much as 2½ inches from the slab. The first shield is:—Quarterly. 1 and 4, Argent a chevron between three crosses croset sable, for Wycliffe of Thorpe; 2 and 3, Argent on a chevron sable three bucks' heads caboshed of the field, for Ellerton. The Ellerton coat was brought into the Wycliffe shield about the commencement of the fourteenth century, by the marriage of Robert Wycliffe (who was living 30 Edw. I. and 1 Edw. III.) with Joan, daughter and heir of Geoffrey de Ellerton of Swaledale. The second shield on the slab has the same quartered coat, impaling—Argent a chevron sable between three rooks proper,

<sup>1</sup> In the "Inquisitiones Feodorum," &c. (1287), the following occurs:—Hoton Parva (Little Hutton), "Sunt ibi 3 Caruc. terræ, unde 12, &c., quas Wil. de Hoton

tenet de Roberto filio Thomæ de Thorpe & ipse Robertus de Comite et Comes de Rege." It may fairly be conjectured that this was the same Thomas de Thorpe.

a fleur-de-lis on the chevron, for Rokeby. This records the marriage of John Wycliffe, who, according to Harrison's pedigree, was great-great-grandson of the above-mentioned Robert, and who at all events was present at Agincourt in 1415, with Ann, daughter of Sir Thomas Rokeby of Rokeby and Mortham.

There is of course no indication of tinctures on the stone, but these have been supplied from a MS. of Yorkshire arms, in Dugdale's handwriting, which is now in the possession of the Rev. Carus V. Collier, F.S.A. The fleur-de-lis in the Rokeby coat is probably a cadency mark, but the curious scoring or incisions on the chevrons is singular, especially as they are not extended to the Ellerton coat. Dugdale gives the Wycliffe chevron as plain, and this appearance of four chevronels is perhaps nothing more than a fancy of the stone-cutter. Dr. Whitaker gives an illustration and description of these stones in his *History of Richmondshire*, vol. i., pp. 199 and 200, but it is incorrect in several particulars.



## THE HORNES OF MEXBOROUGH.

By J. FLETCHER HORNE, M.D., F.R.S.E.

GOETHE in his autobiography likens a man's surname to his skin—next to which it is probably the most characteristic thing about him. It is no mere cloak, as that great philosopher remarks, to be assumed and abandoned at pleasure, indicating, as it frequently does, his ethnology, his nationality, and perhaps even the country of his birth, which are all circumstances that to a certain extent determine his type of character and constitution. In most of the counties of England will be found families of yeomen, perhaps dwelling in quiet and possibly remote parishes, in which their ancestors lived two or more centuries ago. Each family is represented in the church register by an uninterrupted succession of entries—births, marriages, and deaths, in which the same Christian names occur over and over again.

In the sixteenth century the yeomanry was a body which in antiquity of possession and purity of extraction was probably superior to the classes that looked down upon it as ignoble.<sup>1</sup>

In this paper we have ventured to place before the Society something of the history of one of these old Yorkshire yeoman families. The surname Horn or Horne, for both appear to have been used indiscriminately, is probably purely Teutonic. There seems little doubt that originally this family came with the Jutes or Angles to England from the islands of the Baltic. The surname is a common one in Denmark and Sweden. Galle instances the Swedish family of Horn as one of three only, as bearing their original distinctive coat of arms, in all its branches, as a shield of pretence, or an escutcheon on the centre of the field.<sup>2</sup>

Barber<sup>3</sup> considers the family name to be Anglo-Saxon. He says that among the names of persons in Domesday Book holding land he finds that of Horne; while Bardsley<sup>4</sup> says that one Alvin Horne held land in Middlesex and Herts. before the making of Domesday. As a personal name Horne is of great antiquity, and is borne by the hero of a celebrated old English and French romance.<sup>5</sup>

Ferguson<sup>6</sup> says there was an Anglo-Saxon settlement Horningas,—this Anglo-Saxon name would give rise to the place-name Hornes-

<sup>1</sup> Stubbs' *Constitutional History*.

<sup>2</sup> Jenkins' *English and Foreign Heraldry*.

<sup>3</sup> Barber, *British Family Names*.

<sup>4</sup> Bardsley, *Dictionary of English Surnames*.

<sup>5</sup> Wright's *Essays*.

<sup>6</sup> Ferguson, *Surnames as a Science*.

beorth, and the English surname Horne. Guppy<sup>1</sup> considers the name had probably its origin as an Anglo-Saxon clan-name; he considers it synonymous with Hern or Herne, and in the latter form is common as a place-name in Kent, Hants., etc. Horn is the usual spelling in Kent and Norfolk, but in the West Riding Horne is perhaps the most frequent.

As confirmatory evidence of its early use as a surname, and its association with South Yorkshire, Hunter<sup>2</sup> prints a Latin document which Dodsworth found amongst the Evidences of Barmby, the Lord of Midhope. It is styled "The names of the Midhope Lords who lived after the Conquest." It commences with, Horne of Midhope, a soldier who died in company with King Harold, at the place where Battle Abbey now stands, when he fought with William the Conqueror, &c. &c.

Adam Fitz-Swein was the founder of the priory of Burton Abbey. He was prior of the house of St. John at Pontefract, and first prior of the new foundation. The foundation and endowment appear to have been complete before his death, in 1158. Adam the prior granted six bovates of land at Hickelton, held by Hugh Horn and others, to Nichola daughter of Randolph de Newmarsh.<sup>3</sup>

In the time of King Edward I. there lived in the neighbourhood of Kirkburton Richard de Horn, who at a Court of the Manor of Wakefield, held at Kirkburton on the Monday before Pentecost (June 2nd) in the year 1275, before Alexander Lucas the Steward, gave evidence in an inquisition on behalf of the plaintiffs concerning half a bovat of land in Hepworth. This Richard de Horn is probably the earliest known member of the Kirkburton branch of this family; and from this date the name appears never to have left the neighbourhood, nor have the members of this family practically ceased to be engaged in the pursuit of agriculture. He possibly gave the name to Hornthwaite (the clearing of wood or stubble, thwaite or twaite), situated near Thurlstone.

In the return of the Poll-tax of the West Riding of the county of York, laid in the second year of the reign of King Richard II., A.D. 1379, there were then ten families bearing the cognomen of Horne or Horn in the Riding. The English yeomen in the past were in no sense nomadically inclined, passing their uneventful lives on their own acres, which frequently remained in the hands of the same family for five or six generations, and were handed on from father to son with a regularity that betokened long life, and but natural decay. Each died as a rule well stricken in years, piously

<sup>1</sup> Guppy, *Home of Family Names*.

<sup>2</sup> Hunter's *South Yorkshire*.

<sup>3</sup> *Ibid.*

bequeathing in his last will and testament his soul to God, his body to the earth from whence it came, and his land to his descendants. From the wills of these ancient English yeomen we can extract much that throws an interesting light on their ways of life, and a little, too, that in the musty parchment still preserves its pathos. They supply us often with the only information we possess of many an unhistoric line, and their somewhat monotonous character is eminently suggestive of peaceful and contented lives.<sup>1</sup> Of a typical example is that of the forbear of the Mexborough Hornes.

Richard Horne of Havercrofte, in the parish of Felkirk, made his will 14th November, 1536, "of woole mynd and good remembrance. To be buried in the churchyard of St. Peter, Felkyrke. High altar of Felkyrke viij<sup>d</sup>, W<sup>m</sup> Bothe, priest, xij<sup>d</sup>, Sr. Barnard Hosclyf xx<sup>s</sup>, Jenet Copley xx<sup>s</sup>. To a preste to syng for me iij<sup>d</sup>, Jenet Walker iij<sup>s</sup> iij<sup>d</sup>, Jenet Robuke xij<sup>d</sup>, Richard Horne a cow. To the mending of the Whenegrene gate viij<sup>d</sup>. Residue to wife Jenet and son William, Exors. Wits.: W<sup>m</sup> Booth, the parish priest, W<sup>m</sup> Horclyf, and John Kympe." Proved April 18th, 1537, by the exors.

Bernard Oscliffe was the incumbent at this time of the chantry of St. Mary, in the parish church of Felkirk. The lands belonging to this chantry were in the hands of Sir Thomas Gargrave in the fifth year of Queen Elizabeth (1562), who by deed of feoffment indented, dated 23rd of November in that year, conveyed them to Robert Norfolk, Henry Raynie, Edward Jenkinson, Richard Horne, Bernard Jennett, Francis Pitt, Thomas Clarke the younger, etc., by name of a tenement and lands in South Hiendley and Brierley, to hold to them and their heirs, to be employed to the good of the parish of Felkirk in charitable uses about the repair of the church there, and other public uses. Deeds of 1576, 1583, 1585, and 1586 give William Horne, Richard Horne, and Ann his wife, Cotton Horne his son and heir apparent, as buying land at Ryhill, Havercroft, South Hiendley, and Thurlstone. This Cotton Horne (son of Richard Horne) lived at Hemsworth, and was bailiff to Sir Cotton Gargrave (died 1588), and married Jane, daughter of — Burton of Kinsley Park, near Hemsworth. This marriage would probably be brought about by the fact that Kinsley Park passed from the heirs of Sir John Burton to Sir Thomas Gargrave about the close of the reign of Henry VIII. Their family we have note of, are Cotton, Ann, Elizabeth, William (of Havercroft), Richard, and Francis (of Almondbury). (See pedigree.)

Cotton Horne was the donor of almshouses at Wakefield. These were rebuilt in 1793, on the site of existing ones founded by Cotton

<sup>1</sup> Guppy, *Home of Family Names*.



Horne in 1646, and William Horne in 1649, the first benefiting ten poor women and the last ten poor men. The devizes made by the two (Cotton and William) and by Mary Horne were of real estate in Wakefield and the neighbourhood, partly now retained and partly exchanged for other lands. In 1869 some of the poor folk received coals and 5s. a week; others only the house.<sup>1</sup> On August 1st, 1902, a block of twenty new almshouses, to be known as the Cotton Horne and William Horne's Almshouses, were opened by Dr. Statter on behalf of the Governors of the Wakefield Charities.

The families of Horne and Gargrave were closely associated for many years. Sir Thomas Gargrave descended from Sir John Gargrave, knight, of Snapethorpe and Gargrave, in the county of York, who was Master of the Ordnance and a governor in France, under Henry V., and military tutor to Richard Plantagenet, Duke of York, who was slain at the Battle of Wakefield, 1460. Sir Thomas was made a member of the Council of the North in 1539. He became Speaker of the House of Commons, and commanded Pontefract Castle for Queen Elizabeth, in the great Rising of the North. Sir Thomas purchased a portion of the manor of Wakefield from the Earl of Leicester in 1565.

Cotton Horne was an attorney at Wakefield and Steward of the Honour of Pontefract. He married Elizabeth, daughter of Anthony Wade, of King's Cross, Halifax, and afterwards, Elizabeth Bubra, of Wath-upon-Dearne. He was no doubt the purchaser of the Mexborough estate, and later also he purchased the manor of Cold Hiendley on the break-up of the Gargrave family through the dissipation of Sir Richard Gargrave.

Nostell was sold in 1613, and Hiendley probably about the same time. A farmhouse at Cold Hiendley bears on the front the date 1656, with a coat of arms unheraldically cut, which doubtless refers to Cotton Horne, the purchaser; "a bend invected at the lower side with three bugle horns, and a chevron above and the same below."<sup>2</sup>

The name Cotton was probably derived from the connection with the Gargraves, and is found in nearly all the branches of the Horne family as a Christian name. Judith is also found frequently amongst the female members as a favourite appellation. Cotton Horne had two sons and two daughters—

William, of whom hereafter.

John, who appears to have succeeded his father at Wakefield; he married Elizabeth Parker, of Otley. (See pedigree.)

<sup>1</sup> Commissioners' Report on Charities.

<sup>2</sup> Bank's *Walks in Yorkshire*.

Judith, who married Mr. (afterwards Sir) Mathew Wentworth, baronet, of Bretton Hall, in October, 1641, and died without issue. He was the fourth son of George Wentworth, Esq., by Mary his wife, daughter of John Ashburnham, of Ashburnham, in Sussex, esquire. Sir Mathew died in the 63rd year of his age, August 1st, 1678. He and his three wives are interred in the Wentworth Chapel, in Silkstone Church.

Mary, the younger daughter; married Lucian Lewins, of Rusholme, co. York.

Cotton Horne was buried in Mexborough Church, 13th December, 1656.

William Horne was probably originally placed with a merchant in Leeds, and he there met and married Sarah, elder daughter and coheirress of John Sykes, of Leeds. He was the eldest son of Richard Sykes, merchant, alderman, and lord of the manor of Leeds. He was descended from the Sykes of Sykes-dike, near Carlisle. This gentleman had four sons and four daughters. Of him it was said by Thoresby, the antiquary and historian, that he left, "besides vast estates to his sons, £10,000 apiece to his daughters, from which four knights and baronets' families are descended." The issue of this marriage was one son, Thomas Horne, who married Mary, daughter of ——— Eyre, of Stroxton, co. Lincoln. At the death of his father he inherited the settled estates, and resided at Horncastle, Lincolnshire. William Horne, by his second marriage, which took place about 1642, had three sons and three daughters. Amongst these he divided his estates, by a will made fifteen years before his death.

He resided at Mexborough Old Hall. The grounds on the south at that time, from present appearances, probably stretched down to the immediate vicinity of the church. The house is now best approached from the Doncaster road through an archway, in buildings which were probably once the barns and stables of the hall. It is now built up all round, except in front, by squalid cottages. The old building has the appearance of having been much larger than the remains, and is now divided into three tenements, and bears the look of much rough usage. It is built of stone, but here and there repaired with brick. The chimneys have been repaired in a very rough and ready manner, which has much destroyed their contour and shapeliness. On the south aspect is a venerable old pear tree, which has the appearance, from the thickness of the trunk, of great age, amounting probably to 200 years.

Internally the house has undergone many changes. In its zenith it was evidently profusely panelled, but much has been removed.

One or two rooms still contain some very beautiful oak-panelling, with several doors, all in excellent preservation, in incongruent proximity to rough and ready modern repairs. The adjoining farm buildings bear date 1669. This is probably the date of the erection of the hall.

William Horne was buried at the entrance of the chancel of Mexborough Church, and there is this memorial:—

*Memoriæ sacrum Gulielmi Horne armigeri.*

*Hic jacet*

*Gulielmus Horne de Mexburgh*

*Lector,*

*Si quæris qualis erat quem hæc terra tegit,  
accipe in parvo.*

*Principi suo fuit fidelis subditus  
Ecclesiæ anglicanæ orthodoxus filius  
amicis et vicinis apprime charus  
invisus nulli nisi iis qui illium non probe norant  
vixit annos 63; et obiit 26 Martii 1679  
annorum satus et cælo paratus et nunc in Domino placide  
quiescit,  
beatam præstolans resurrectionem, sub hoc tumulo  
quem moerentes ejus posteri illi possuere Viator,  
ne inideas dormienti nam tu sequeris.*

*Englished.*

Sacred to the memory of William Horne, esquire.

Here lies William Horne of Mexborough. Reader! if thou enquire what manner of man he was, take it in short. He was a faithful subject of his Prince; an orthodox son of the Church of England; very dear to his friends and neighbours; hated by none unless by those who did not well know him. He lived 63 years, and died on March 26, 1679—full of days, and prepared for heaven; and now rests under this tomb (peaceably in the Lord), which his lamenting posterity have raised him, expecting a happy resurrection. Traveller, envy not the sleeper, for thou shalt follow.

Mexborough was indebted to this William Horne for almshouses. The present buildings are probably those erected in the seventeenth century, and have been known for generations as “the Widows’ Walk,” on account of the ‘fore-court,’ or walk which gives access to the six houses, there being only one set of three or four steps to the fore-court from the street. Up to about 1895 the vicar of Mexborough was sole trustee, but at that date a new order was made by the

Charity Commissioners, by which there are now three trustees—the vicar, ex-officio, and two elected by the Urban District Council every three years. The rent charge was formerly on land, but is now commuted by the purchase of stock, which brings in £5 per annum. This, with the interest of other stock, maintains the buildings in repair, and also provides a ton of coal annually to each of the six incumbents. For any vacancy applicants must be widows, and are selected by the trustees after advertisement in the local press. At one time the gift was commemorated on the front of the building—

Deo et pauperibus  
per Gulielmum Horne, generosum.  
Anno ætatis suæ 54 anno D'ni  
1669.<sup>1</sup>

The inscription has now disappeared; there remains traces of arms pourtrayed on the front of these almshouses. The shield is divided into two equal parts, each portion having a chevron, with the remains of what has probably been three bugle horns in each.

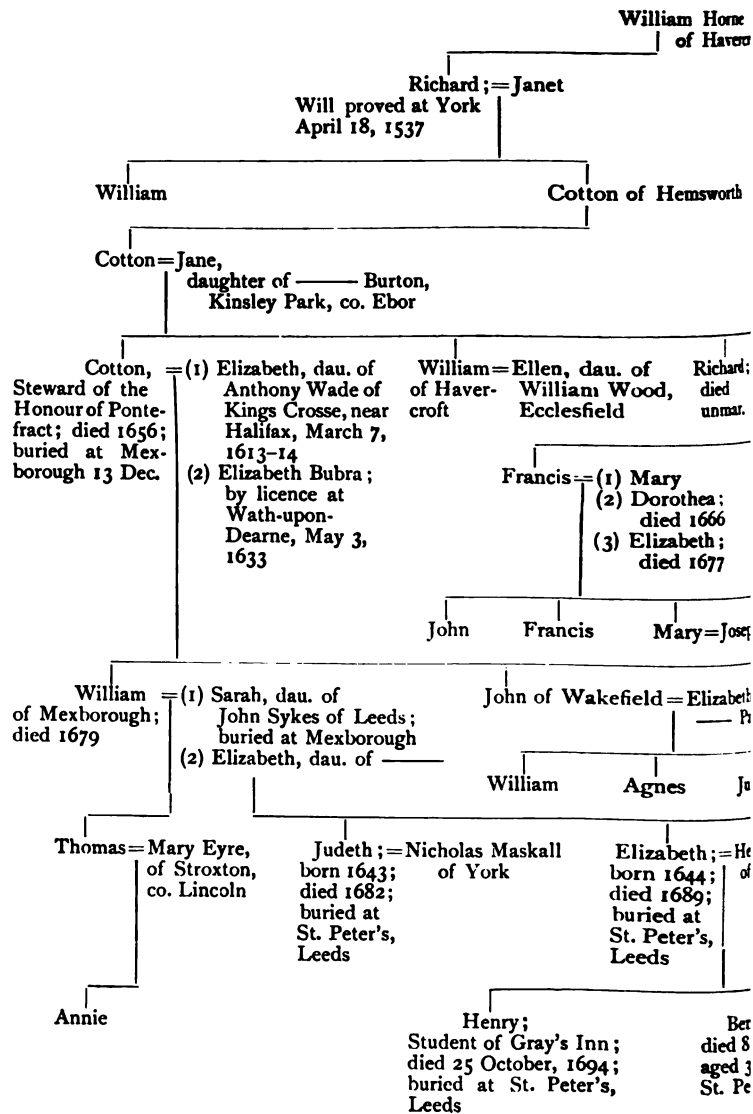
The soft sandstone is defaced by time. The motto and crest, if any existed about the shield, are so corroded as to be illegible. The arms of the Mexborough family were, as entered at Sir William Dugdale's visitation, held at York August 13th, 1666: "Or, on a fess between two chevrons gules, each chevron between three bugle horns, sable stringed azure." No mention is made of a crest. At the beginning of armoury the crest was an extra distinction, and none below the rank of a knight was entitled to display it. Consequently many old families had no crest belonging thereto, as William Flowers, Norroy King of Arms, said: "As in very deede to many ancient cotes of armes ther be none." So we find that in the arms of these old families the crest was more recent than the arms. Possibly it may have been the case with this family that no application was made for a crest at the visitation. The arms borne by another branch of the family are: "Argent on a fesse between six bugle horns, stringed sable, three roses of the field; and for a crest, on a wreath of the colours, within a chaplet of roses argent; leaved vert, a bugle horn, stringed sable and garnished or." Shakespeare reminds us of the antiquity of the use of the bugle horn as a crest:—

"Take thou no scorn to wear the horn;  
It was a crest ere thou wast born.  
Thy father's father wore it,  
And thy father bore it."

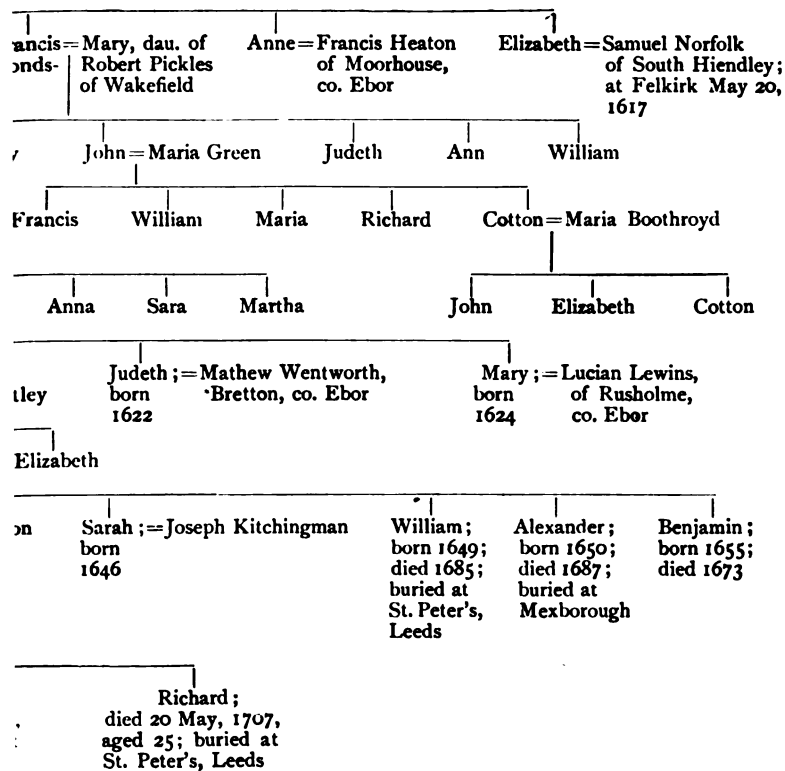
*As You Like It.*—Act iv. Scene 2.

<sup>1</sup> Hunter's *South Yorkshire*.

# Pedigree of the



# of Mexborough.



The church registers at Mexborough contains an entry of the burial of William Horne, to which is added the unusual addition—"that he was not buried in woollen, and that his exors. had paid the fine." This is an example of a curious law, now of course obsolete, concerning the burial of the dead in woollen cloth. By 20 Car. II., c. 3, no corpse of any person (except those who died of the plague) shall be buried in any skirt, sheet or shroud, or anything whatsoever made or mingled with flax, hemp, silk, hair—gold or silver—or any stuff or thing other than what is made of sheep's wool only, or to be put into any coffin lined or faced with any sort of cloth or stuff, or any other material but sheep's wool. If an affidavit was not made by some relation of the party deceased; or other credible person within three days, before a justice, that sheep's wool had been used, they were liable to a fine of £5.

In the will of William Horne of Mexborough we have a very excellent example of one of the early wills made under the statute passed at the beginning of the reign of Charles II., which gave a general power of devising whatever interest or estate the testator had in lands. The quaint phraseology of a will made over 240 years ago may, we trust, be found of sufficient interest for its insertion here.

<sup>1</sup>THE IRRESISTIBILITIE of that irrevocable Decree that it is appointed for all men once to dye & after that to come to Judgment The daylie examples of Mortalitie in everie place The certaintie of the dissolution of this my fraile body into dust and the uncertaintie of the time when. The serious remembrance of deceased freinds The due regard of my children's welfare And my honest intention to dispose of (with some equalitie) That estate w<sup>ch</sup> God in his mercyes my deare father in love hath conferred uppon me These w<sup>th</sup> the Concoñitant consideration of my declineinge yeares suñon me to this p<sup>r</sup>sent dutie of the composure of this my last Will & Testam<sup>t</sup> w<sup>ch</sup> I make & ordaine & manner & forme followinge Desireinge that if any thinge be defective or orroneous in matter or forme It may be supplied by the good intentions of the Constitutor IN THE NAME OF GOD the Father God the Sonne & God the Holy Ghost three psons & one God Amen The tenth day of May in the sixteenth yeare of the Raigne of our Sovereigne Lord Charles the Second By the grace of God Kinge of England Scotland France & Ireland Defender of the faith &<sup>c</sup> And in the yeare of our Lord God one thousand six hundred sixtie & foure I WILLIAM HORNE of Mexbrough in the County of Yorke Gent. being in pfect remembrance health & strenth (for w<sup>ch</sup> I give God praise & thanks) doe

<sup>1</sup> Moorhouse's *History of Kirkburton*.

beginne w<sup>th</sup> my better parte my Soul which I resigne & comitt into the mercifull hands of God that made it & of Jesus Christ his sonne that redeemed it Hopeinge for & expectinge eternall life & salvation by his onelie meanes and meritts applyed unto my soul by faith in him wrought in me by the free & powerfull workinge of the holy ghost that gracious & divine spirit To whome with the most holy father & his ever blessed sonne be ascribed all honour glorie power praise & dominion world w<sup>thout</sup> end Amen My body that disesteemed pte the interringe thereof I referre to the care & discretion of my surviveinge freinds especially my executors But desire w<sup>thall</sup> that it may be inhumed in the Chancell of the Church of Mexbrough aforesaid as neare the place where my deare father was buried as the ground will afford and for my remaineinge temporall estate not given nor settled upon my eldest sonne Thomas Horne nor yet disposed of I give & dispose it in manner followinge FIRST whereas it was the desire & intention of my deceased ffather that I should settle & convey unto John Horne my brother for the terme of his naturall life the remainder in Tayle to his yssue all those his messuages cottages lands Tenem<sup>ts</sup> & hereditam<sup>ts</sup> w<sup>h</sup>soever lyeinge and beinge in the towne or pish of Wakefeild whereof he dyed seised part whereof are freehold & pte coppiehold (except all such Messuages Lands & Tenem<sup>ts</sup> as were by my said ffather in his lifetime or are or shall be by me since his death settled & given to ffeoffes in trust for the use of the poore in those Hospitalls in Wakefeild By him erected) I doe hereby give devise & bequeath All the said freehold Messuages Lands & tenem<sup>ts</sup> unto my said Brother John Horne for & duringe the terme of his naturall life And after his decease Then unto Wit<sup>m</sup> Horne eldest sonne of the said John Horne & to the heires of his body lawfully begotten or to be begotten And for want of such yssue then to the second sonne of him the said John Horne lawfully begotten or to be begotten And for want of such yssue then to the third sonne of the said John Horne & to the heires of his body lawfully begotten & to be begotten. And for want of such yssue to the fourth fifth & sixt sonnes of the body of the said John Horne lawfully begotten & to be begotten in like manner & for such estates as to the first sonne successivelie accordinge to their seniorities And for want of such heires then to the right heires of the said John Horne for ever And as for & concerninge the said Coppiehold Messuages Lands & Tenem<sup>ts</sup> whereof my ffather dyed seised in Wakefeild aforesaid I doe hereby devise will & declare That the Surrender by me made of the Coppiehold Messuages Lands & Tenem<sup>ts</sup> into the hands of the Lord



or Lords of the Mannor of Wakefeild by two Customary Tennants of the said Mannor shall be & enure to the use & behoofe of my said Brother John Horne for the terme of his naturall life & after to his first second third fourth fifth & sixth sonnes in manner & forme and for such estate & estates as are before limited of & in y<sup>e</sup> said freehold Lands And for want of such yssue of my said Brother John Horne then to the right heires of me the said William Horne for ever Alsoe I doe devise give and bequeath unto Elizabeth Horne my deare wife All my Messuages Lands Tenem<sup>ts</sup> & hereditam<sup>ts</sup> w<sup>ts</sup>soever lyeinge and beinge in Mexbrough aforesaid (whereof I now stand seised) for her natural life (if she soe longe continue in my name & unmarried) But if she marrie againe Then my will & minde is that she onelie have the sume of threscore pounds yearelie paid unto her att the feasts of pentecost & S<sup>t</sup> Martin the B<sup>pp</sup> in winter by equall porcons dureinge her life by M<sup>r</sup> Benjamin Kent of Coldhindley gent. & M<sup>r</sup> John Killingbecke of Heddingley in the pish of Leedes gent. (whom I hereby constitute & appoint Trustees for the uses intents & purposes herein & hereafter declared & expressed) And after the decease of the said Elizabeth I doe devise & give All the said Messuages Cottages, Lands Tenem<sup>ts</sup> and hereditam<sup>ts</sup> in Mexbrough aforesaid unto my sonne Alexander Horne for & duringe his naturall life & after his decease then to the first sonne of the body of him the said Alexander Horne & to the heires of the body of such first sonne and for want of such yssue then to the second sonne of him the said Alexander & to the heires of the body of such second sonne and for want of such yssue then to the third sonne of the said Alexander Horne & to the heires of the body of such third sonne And for want of such yssue then to the fourth fifth & sixt sonnes of him the said Alexander & to the heires of the severall bodies of such fourth fifth & sixt sonnes respectivelie & successivelie accordinge to their seniorities And for default of yssue of the bodie of the said Alexander then to the right heires of me the said William Horne for ever. And if it shall happen the said yearely sume of threscore pounds to be in arreare & unpaid by my said Trustees by the space of thirtie dayes after any of the feasts or dayes of paym<sup>t</sup> att w<sup>ch</sup> the same ought to be paid (beinge lawfully demanded) Then I doe devise & give unto my said wife the sume of Twentie shillings (as a penaltie) for every day that the said sume shall be unpaid as aforesaid over & above the said sume of threscore pounds yearely w<sup>th</sup> full power to enter into all or any of the p<sup>r</sup>misses & to distraine as well for the said sume in arreare as for the said penaltie (If any such shall happen

to be) ALSOE I give bequeath & graunt unto Benjamin Horne my youngest sonne out of the said Messuages Cottages Lands Tenem<sup>ts</sup> & hereditam<sup>ts</sup> in Mexbrough aforesaid after the deceasse of my said wife Elizabeth Horne & when the said Alexander Horne shall enter into possesse & enjoy the same If the said Beniamin be one & twentie yeares of age one Annuity or Rent Charge of forty pounds p Annū formerly purchased by my ffather for & duringe the naturall life of the said Benjamin To be paid by the said Alexander his heires or Assignes unto the said Benjamin at the ffests of Pentecost & S<sup>t</sup> Martin the B<sup>pp</sup> in Winter by even & equall porcons And if it shall happen the said Annuitie or rent charge of fortie pounds p Annū or any pte thereof to be behinde & unpaid by the space of Thirtie dayes after any of the feasts or dayes of paym<sup>t</sup> att w<sup>ch</sup> the same ought to be paid equally as aforesaid (beinge lawfully demanded) Then I doe devise & give unto my said sonne Benjamin the sume of Tenne shillings (as a penaltie) for every day that the said Annuitie of forty pounds shall be unpaid as aforesaid over & above the said sume of forty pounds yearely w<sup>th</sup> full power to enter into all or any the p<sup>r</sup>misses & to distreine as well for y<sup>e</sup> said sume in arreare as for y<sup>e</sup> said penaltie (If any such shall happen to be) And whereas it is supposed that the said Rent charge is redeemable by the heires of John Buckley at all times upon y<sup>e</sup> paym<sup>t</sup> of five hundred pounds Then my will & mind is that in case the said Rent charge be soe redeemed then the said sume of five hundred pounds shall be paid unto the said Benjamin (If he have accomplished the age of one & twenty yeares) & if not then unto my said Trustees for his use untill hee shall attaine those yeares ALSOE I further give unto the said Benjamin one house situate lyeinge & beinge in Wakefeild aforesaid w<sup>th</sup> all thappurtenaunces thereunto belonging now in the tenure or occupation of Mary Potter Widdowe or her assignes (w<sup>ch</sup> house I lately purchased of Mary Atkinson Widdowe deceased & Robert Atkinson her sonne) for & duringe the terme of his naturall life & after his decease Then I devise & give the said house unto the ffirst sonne of the said Benjamin & to the heires of the body of such first sonne And for want of such yssue then to the second sonne of the said Benjamin in like manner And for want of yssue of the body of such second sonne then to the third fourth ffifth & sixt sonnes of the body of the said Benjamin in like manner & for such estates successivelie as are before limited to the ffirst sonne of the said Benjamin And for want of such yssue then to the right heires of him the said Benjamin for ever ALSOE I doe devise & give unto my said Trustees M<sup>r</sup> Benjamin Kent & M<sup>r</sup> John Killingbeck

All that my Mannor of Coldhindley w<sup>th</sup> the Rights & appurtenances thereof together w<sup>th</sup> all & singuler my Messuages Cottages Lands & tenem<sup>ts</sup> in Coldhindley aforesaid in the pish of ffellkirke in the said County in whose tenure soever the same be And alsoe all that Co<sup>m</sup>on or Wast ground called Coldhindley Moore conteyneinge by estimation eightie acres (be it more or less) w<sup>th</sup> all other Lands Messuages Cottages Tenements and hereditaments w<sup>so</sup>ever whereof I die seised & w<sup>ch</sup> I have not formerlie devised To the uses intents & purposes herein and hereafter declared & expressed (that is to say) To the intent that the said Trustees or the survivor of them shall and may lett sett & devise All or any the said Lands & Tenem<sup>ts</sup> & the yearely rents & profitts thereof Demande collect and levie for the uses & purposes followinge (to witt) for & until the said Trustees or the survivor of them shall discharge and pay to my three Daughters Judith, Elizabeth & Sarah more then what I leave in good Debts upon Bonds (hereafter & hereby devised to them) soe much as shall make the portions of each of them five hundred pounds and if the said sumes shall be raised before my sonne Wi<sup>l</sup>hm Horne shall attaine the age of one and twentie yeares Then my will & mind is that the surplusage be disposed for & towards the putting forth of my two sonnes Alexander & Beniamen Apprentices the one (to witt Alexander) to a Leedes Merchant and the other to what Trade his Mother with the advice of my said Trustees shall think fitt ALSOE I give and bequeath unto my said three Daughters Judith Elizabeth & Sarah all my Debts due & payable upon Bond whether they be taken Myne or their names towards the said sume of five hundred pounds apeice w<sup>ch</sup> I devise & bequeath to my said Daughters to be payd unto them successivelie accordinge to their seniorities (to witt) to the said Judith w<sup>th</sup>in six months after my decease together with the considera<sup>co</sup>n due for the same To my said Daughter Elizabeth soe much as is due uppon Bond to herselfe w<sup>th</sup>in six months after my decease together with the considerations due for the same & the remainder of five hundred pounds as it is raised by my said trustees to be put forth in her name & for her use till the said sume of five hundred be compleatlie made good to her & paid And because there is noe provision made for the p<sup>r</sup>sent maintenance of my said Daughter Sarah Therefore my will & minde is That my Daughter Judith allowe unto her yearelie (after the receipt of her five hundred pounds) the sume of five pounds towards her maintenance till my said Daughter Judith shall marrie & have occasion to use her said por<sup>co</sup>n Likewise that my Daughter Elizabeth pay unto her the sume of fiftie shillings yearely when she receives

use money for three hundred pounds and when she hath received her full sune of five hundred pounds then to pay & allowe her five pounds yearlie till she my said Daughter Elizabeth shall marrie & have occasion to use it And soe soone as any money shall be raised for my Daughter Sarah my will & minde is that it shall be put forth in her owne name & shee to have the proffitts thereof for her maintenance & towards her education And if any of my said Daughters shall dye unmarried before the said sune of five hundred pounds be fully payd (by my said Trustees or the survivor of them) unto her Then I devise & give soe much of the said sune as shall be unpaid (unto such deceased Daughter) unto the survivour or survivours of my said Daughters equally ALSOE I give & devise unto my sonne William Horne when he shall attaine the age of one & twentie yeares if all his Sisters porcons be raised and payd but not otherwise All that my Manor of Coldhindley aforesaid w<sup>th</sup> the rights & appurtenances thereof togather with all & singular my Messuages Cottages Lands & Tenem<sup>ts</sup> in the same In whose tenure soever the same be And also all that Comon or Wasteground called Coldhindley Moore conteyninge by estimation Eightie acres be it more or lesse To him the said William for & dureinge his naturall life And after his deceasse Then to the eldest sonne of the said William & to the heires of the body of such eldest sonne And for want of such yssue then to the second sonne of the body of the said Witm to be begotten & to the heires of the body of such second sonne And for want of such yssue then to the third sonne of the said William and to the heires of the body of such third sonne And for want of such yssue then to the fourth fifth and sixt sonnes of the body of the said William successivelie one after another in like manner and for such estates as to the first son of the said William And for want of such yssue Then to the right heires of the said William Horne for ever ALSOE I give and bequeath unto Elizabeth wife of Nicholas Andrew of Dodworth who was the Daughter of one of my ffathers Sisters the sune of five pounds beinge the intentionall gift of my deceased father ALSOE I give unto my Sister the wife of M<sup>r</sup> Lucian Lewins the sune of twenty shillings ALSOE I give & bequeath unto Benjamin Kent & John Killingbecke gent. Trustees nominated in this my last Will & Testam<sup>t</sup> & to M<sup>r</sup> Thomas Skeynes Supvisor thereof to each of them twentie shillings (if they please) to bestowe of a ringe & to weare in remembrance of me ALSOE I give unto Judith the wife of the said M<sup>r</sup> Thomas Skeynes my loveinge Kinswoman the sune of twentie shillings ALSOE I give unto M<sup>r</sup> Thomas Belton Minister of the

Town of Mexbrough twentie shillings & to the poore of the said Towne & pish ffortie shillings to be disposed by the Churchwardens of the said towne (accordinge to their best discretion) the next Lords day after my deptime All w<sup>ch</sup> Legacies & Sumes my intent & will is shall be payd by my executors out of my psonall estate soe soone as convenientlie they can or as the Lawe provides ALSOE I give unto W<sup>m</sup> Horne my second sonne all my Bookes w<sup>ch</sup> are in my plour hopeinge he will & prayeing he may make a good use of them ALSOE I give unto Elizabeth Horne my deare wife all my apparrell Linnen & Woollen hopeinge she will dispose of them w<sup>th</sup> discretion to the nearest of my kindred & relations ALSOE I doe hereby constitute ordaine & make her the said Elizabeth together w<sup>th</sup> my said three Daughters Judith Elizabeth & Sarah joynt Executrixes of this my last Will & Testam<sup>t</sup> unto whome I doe hereby give and bequeath All my psonall estate after my funerall expences & iust debts shall be thereout satisfied & discharged provided alwayes & my will & minde is That if my said three Daughters or any of them will not be advised ruled & guided as well in their education as in their marriage by my said deare wife or she being dead by my said Trustees & Supvisors or by the survivours or survivour of them That then such Daughter soe refuseinge shall be utterlie excluded from haveinge or claimeinge any such pte or portion of my psonall estate onelie as executrix ioyntlie as aforesaid And then that such pte portion or benefitts remaine & be to my said wife & such other Daughter or Daughters as shall be obedient to my said wife in her lifetime or to my said Trustees & Supvisors after her death Lastlie I doe hereby make & constitute my loveinge & faithfull Kinsman M<sup>r</sup> Thomas Skeynes of Thirburgh Clerke (formerly mentioned) Supvisor of this my last Will & Testam<sup>t</sup> giveinge him full power & authoritie yearelie to demand an Account of the aforesaid Trustees And if any question ambiguitie or doubt shall happen to arrise concerneinge any matter clause or thinge in this my last Will That the onely exposition & Judgm<sup>t</sup> thereuppon to be had and made by the said Supvisors w<sup>ch</sup> said Judgm<sup>t</sup> I desire all pties therein concerned to abide & be concluded by And I doe hereby revoke null & make voyd all former Wills IN WITTNESSE whereof I have hereunto sett my hand & seale the seventeenth day of October in the sixteenth yeare of the Raigne of our Sovereigne Lord Charles the Second by the grace of God Kinge of England

Scotland France & Ireland Defender of the ffaith &c Annoq Dñi 1664  
 WILLIAM HORNE SIGNED Sealed published & delivered as it  
 is comprehended in five sheetes of paper in the p'sence of THO:  
 SKYNES HEN. HEATHFEILD

The third day of April 1680 THE WILL OF  
 WILLIAM HORNE late of Mexbrough in the  
 County of York Gentleman deceased was proved  
 in the Prerogative Court of York by Elizabeth  
 Atkinson the wife of Henry Atkinson Esquire  
 the natural and lawful Daughter of the deceased  
 and one of the Executrixes in the said Will  
 named, power being reserved of making the like  
 grant to the other executrixes and afterwards on  
 the twenty-third of January 1681 Administration  
 of the goods of the said deceased was also granted  
 to Sarah the wife of Joseph Kitchingman one  
 other of the Executrixes

From the pedigree entered by Sir William Dugdale at his Visitation at York in 1666, we are greatly indebted for the genealogical register appended. This shows, as Guppy suggests, how the rise of a family into a condition of opulence is, as a rule, shortly followed by its dispersal, until within a generation or two the home of the name for centuries, knows it no more. Apparently the death of William Horne in 1679 caused the removal of the family to Leeds, where they resided at Kirkgate, then the best residential part of the town.

In the old church of St. Peter's, Leeds, which was pulled down in 1839, and replaced by the present handsome structure, Thoresby, in his *Ducatus Leodiensis*, speaks of a monument in the high quire:—*Memoriæ Sacrum, I.M. Hic mortales deposuit exuvias* Juditha Nicholai Mascall de Ebor. *Gener. vidua, Gulielmi Horn de Mexburgh, Armiger: Et Elisæ, Uxoris ejus filia primogenita, Fæmina omnibus Numeris absoluta, & Eulogiis digna, nam illi abundant<sup>1</sup> in sacris Pietas & Reverentia, in moribus Modestia & Prudentia, in magnis cruciatibus mira Patientia, in toto vitæ suæ statu Equanimitas eximia, mulier optima longiori digna vitâ, & meliori Epitaphio, sed illa tum vitæ tum seculi pertæsa & cælo parata, valedixit mortalitati, 16. die Maij Anno 1682. & ætatis suæ 39. & nunc placide in Domino quiescit, beatam præstolans Resurrectionem, viator ne lugeas lætantem, nam illa non moritur sed mutatur, & non est hic tumulus. Trophæum est.*

Upon the next stone, under the arms, ermine, a fesse between three pheons sable:—Henricus Atkinson, *Armiger, Vir Legum Patriæ*

<sup>1</sup> Probably "abundant."

*Studiosissimus, Ingenii dotibus ornatissimus, Ecclesiæ Anglicanæ devotissimus, piis fanaticorum fraudibus infensissimus, mortales hic deposuit exuvias Anno Salutis 1683. ætatis suæ 39.*

*Procul hinc facessant præfica funebribus  
non usus est hic Nætiis  
Omnes enim animi & corporis molestias  
cum corpore unâ condidit  
Adiitq; superas Liber & Lætus plagas  
nec denuo possit mori.*

On a brass plate placed on a marble near is inscribed:—*Hic jacet Gulielmus Horne, Filius Gulielmi Horne Mexburgensis Armigeri, qui excessit ex hac vita tertio Octob. 1685. natus annos 36.*

*Dum vivimus, non vivimus sed somnus  
Phantasmatisq; ludimur,  
Cum morimur itidem non murimur ast  
in Novam veramq; vitam nascimur.*

Of Francis Horne, who migrated to Almondbury, there are descendants of his family still living in that neighbourhood.

May we express our thanks to the Rev. W. H. F. Bateman, M.A., vicar of Mexborough, for much information in the compilation of this paper.







4 inches behind the face. These facts appear to indicate that the slab was fitted into masonry with its front edges standing free. The back of the stone shows signs of decay, either through its not having been solidly bedded, or from its bedding having become defective in course of time. The face shows signs of exposure to the weather, which proves that the stone must have been fixed on the outside of a building. The stone is magnesian limestone from the neighbourhood of Tadcaster, and it is face-bedded. At a distance of  $1\frac{1}{2}$  inches above the bottom edge, a circular hole, 1 inch in diameter and  $2\frac{3}{4}$  inches in depth, has been drilled in the front face.

The stone is completely covered with sculpture, representing the hell cauldron and the tortures of the damned. The arrangement of the figures is, in some parts, so extremely complicated that it is by no means easy to describe them intelligibly. It will be most convenient to describe first the three heads on the right side, then the figures above and in the cauldron, and lastly the figures below the cauldron.

The whole height of the right side of the stone is occupied by three heads, the upper of which is erect, the middle one placed sideways, and the lower one inverted. The upper and lower heads, or 'hell-mouths,' are similar in design, and are sculptured around the angle of the stone. They each have large eyes, nose on the angle of the stone, and huge yawning mouth, with a row of large teeth in the upper jaw. The lower lips of the upper and lower heads are continued to form the mouth of the central head.

From the nostrils of each of the upper and lower heads emerge a pair of snake-like forms. That issuing from the left nostril of the upper head is continued into a lizard's body on the right edge of the stone. The corresponding 'snake' of the lower (inverted) head does not appear to terminate in this manner, but the stone is somewhat damaged here.

Both the upper and lower mouths are filled with small figures of souls.<sup>1</sup> Within the upper mouth there are two heads on the angle of the stone, one above the other; a toad is creeping into the mouth, and a lizard<sup>2</sup> is biting the eye, of the lower of these heads on the angle. Opposite this latter, on the edge of the stone, is another head with a toad entering his mouth. Under the teeth of the great mouth is the agonised face of a soul, one of whose eyes is touched by the 'snake' issuing from the right nostril. To the left, at the back of the mouth, is a partially recumbent figure with upturned face and a lizard biting his lower lip. Within the great lower mouth an

<sup>1</sup> Cf. "Da ogni bocca dirompea coi denti un peccatore." Dante, *Inferno*, canto xxxiv., 55, 56.

<sup>2</sup> What I have called "lizards" are reptiles represented with four legs and a long tail.

inverted figure, which lies within the line of the lower jaw, is being tortured by four lizards; above, a large lizard coming round the angle of the stone is gnawing his leg; another bites his genitals; a third, which he grasps with his left arm, attacks his stomach; while a fourth attacks his mouth. Below this figure, and between it and the great teeth, is the head of another figure, whose eye is touched by the tail of the lizard last mentioned. On the angle, between the 'snakes' issuing from the nostrils, is the head of another figure, with a toad entering his mouth.

The central head, which is placed sideways with its mouth on the angle of the stone, has large eyes and broad flat nose, with a toad creeping into each nostril.

Across the rest of the width of the stone, in line with this central head, extends the great cauldron, with flames rising around it. At the left extremity of the mouth of the cauldron is a ring; the right extremity is hidden by the great heads on the right side of the stone.

The figures above the cauldron are intertwined in an extremely complicated fashion. Beginning from the left, and describing first the upper range, the angle is occupied by a draped female figure, which evidently represents Luxury.<sup>1</sup> She wears a long dress, girdled at the waist, and falling in straight pleats to the feet, which are hidden behind the rim of the cauldron; and a wimple, which passes under the chin, covers the ears, and apparently passes over the head, though the top of the head has been broken away. Across the face at the nose is a tight bandage. Over her dress she wears a cloak with a hood thrown back from the head. From the uncarved edge of the stone, a three-clawed paw passes to grasp the cloak upon her right shoulder. On the edge of the stone below this appears a bull-dog like dragonsque head, which swallows her right arm, and has one paw resting upon her right thigh. Her left arm is raised, and holds a circular mirror,<sup>2</sup> which appears in front of the hindquarters of the devil immediately to the right; her left hand or wrist is grasped at the level of the ear by a three-clawed paw similar to that mentioned above. These three-clawed limbs appear to have belonged to the figure of a devil which has been broken off behind the woman's head. In front of her upraised forearm, what seems to be her long hair floats away horizontally to the right, passes behind the hind leg and body of the devil next mentioned, and reappears over his back. To the right of this female figure, next the top edge of the stone, is

<sup>1</sup> Luxury, the vice opposed to Chastity in the series of virtues and vices (Notre-Dame, Paris, Chartres and Amiens). See Emile

Mâle, *L'art religieux du XIII<sup>e</sup> siècle en France* (Paris, 1902), p. 146.

<sup>2</sup> Cf. E. Mâle, *op. cit.*, fig. 50, p. 146.

a devil lying horizontally, with his head to the right, turning round towards the left; he is represented with sharp pointed ears, grinning mouth, and a curling tail. Behind his back appear the heads of two souls. Below is another devil, holding by the leg the figure of a soul upside down. To the left, under the left arm of the female figure, with its hand upon her waist, is another devil with short pointed ears, looking towards the left; coming up between the legs is what appears to represent a twisting tail, which passes round his body. The hand of the first named of these three devils grasps the head of a figure, which is the first (reading from the left) of a series of souls which fill the space up to the uppermost 'hell-mouth' on the right. This first soul, looking towards the right, is pushing against a second soul with head downwards and leg extending upwards into the mouth of a hideous head with large teeth, which is at the top of the stone immediately to the right of the first of the three devils mentioned above. The second soul has his left arm around the leg of the first soul, and his ear is being bitten by a lizard coming from below. To the right of this second soul is a third, with his head thrown back; his face is being attacked by a snake which, passing behind the leg of the second soul, seems to emerge from the mouth of the first soul. The head of another soul appears in the background, between the body of the third soul and the leg of the second soul. To the right of the third soul is the head of another soul, with a large toad entering his mouth. To the right again is a contorted figure of a soul attempting to flee, with his left knee pressing against the upper side of the great 'hell-mouth' on the right; his face is being bitten by a lizard whose tail is entwined around his arm, while another lizard coming from below attacks his genitals. Below this last lizard is the head of a soul whose brow is being bitten by a lizard crawling up from below, and into whose mouth another lizard appears to enter, issuing from the mouth of another soul placed in the angle between the rim of the cauldron and the upper hell-mouth. The ear of this latter head is in turn attacked by a lizard upon the rim of the cauldron. Immediately to the left of the right end of the scroll described later, and below the lizard mentioned above as biting the brow of a soul, is the upturned head and right shoulder of a soul which is apparently represented as standing upright in the cauldron. The right side of the face is broken away, and the surface is much worn, but an indistinct outline on the stone may possibly indicate a hood similar to that worn by the draped figure already described. A toad or lizard rising out of the cauldron may also perhaps be intended to be sucking the left breast of this figure behind the scroll.

Below the figures described in the last paragraph are two figures of souls in the cauldron, with their heads close together. Each has a large purse suspended round its neck, weighing it down into the cauldron, no doubt indicating that its sin was avarice.<sup>1</sup> The right arm of the left-hand figure and the left arm of the right-hand figure are extended, and the hands hold the ends of what appears to be a scroll, which hangs in the form of a segment of a circle below the purses. The idea suggests itself that the scroll may have borne an inscription,<sup>2</sup> but of this there is no trace whatever, the surface of the scroll being worn quite smooth throughout its length. Apparently each of the purse-figures has one arm passing behind its companion, the hand resting on the opposite neck; the hand can be distinctly seen on the neck of the right figure. A lizard or toad passing beneath the scroll can be seen to be sucking the breast of each of the purse-figures, and from the appearance of the breasts it seems to be certain that these figures represent females.<sup>3</sup> Both seem to have long hair. Under the scroll, and appearing above the edge of the cauldron, we see (reading from the left) the head of a soul with a toad upon it; the head of another soul, from whose mouth emerges the tail of the lizard which sucks the breast of the left-hand purse figure; the head of this soul is attacked by a large six-legged creature on its left; then follow the heads of three other souls, the eye of the first being pecked by a beak-like head on its left (similar to that described above); another head with a lizard entering his mouth; a large lizard or toad<sup>4</sup>; and lastly (on the right), the backward-thrown head of the soul described above in the right angle of the cauldron next to the upper hell-mouth.

<sup>1</sup> Avarice is represented by a figure with a purse suspended from its neck in the porch of Moissac (Tarn-et-Garonne), and in the portals of Autun cathedral (see *post*), Sainte-Croix, Bordeaux, and of Mas d'Agenais (Lot-et-Garonne), all of the twelfth century; in a tympanum from Saint-Yved, Braisne (Aisne), now in the museum at Soissons (commencement of thirteenth century); in the 'Doom' tympanum of the central doorway of the west front of Amiens cathedral (circa 1225); and in a tympanum of Saint-Urbain, Troyes (end of thirteenth century). In a wall-painting in Chaldon church, Surrey, where the cauldron motive also occurs, a figure tormented by devils is seated amid flames; around its neck hangs a money-bag, and three money-bags hang around its waist; it holds a coin in its right hand, and pieces of coin are falling from its mouth. (See Mr. J. G. Waller's paper in *Surrey Archeological Collections*, v., 275.) Cf. the usurers

with pouches in Dante's *Inferno*, canto xvii., 55.

<sup>2</sup> The tympanum of the south doorway of the abbey church of Conques (Aveyron), which represents the Doom, has on one side of the lower part a representation of a hell-mouth, and Satan crowned, standing in the midst of devils and tortured souls, and above this group is the legend:—

FVRES, MENDACES, FALSI CVPIDIQVE  
RAPACES  
SIC SVNT DAMPNATI CVNCTI SIMVL ET  
SCLERATI.

G. Fleury, *Études sur les portails imagés du XII<sup>e</sup> siècle* (1904), page 117 and fig. 26. This tympanum probably dates from about 1160. Compare also the inscriptions on the tympanum of the central doorway of the west front of Autun cathedral. (G. Fleury, *op. cit.*, p. 204.)

<sup>3</sup> Cf. the tympanum of Bourges, *post*.

<sup>4</sup> That mentioned in the preceding paragraph as possibly sucking the breast of the figure above.

Below the cauldron is a group of figures, much larger in scale than those already described, appearing above flames which extend along the bottom of the stone. Two large grinning devils, one on either side, are holding down with two-pronged forks the naked body of a soul, probably a woman, lying in the flames, one tongue of which is directed towards her loins. Between them are two devils, apparently helping to support the cauldron. Between these two is another hideous devil, pushing down into the flames the naked soul just mentioned, and the ear of this last is being bitten by a lizard from below. Under the leg of the large devil on the left angle is another figure of a soul in the flames, with left arm outstretched, and another appears in the flames below the head of the recumbent soul.

With the exception of the female figure at the left upper corner, all the 'souls' are represented as naked figures. The devils are represented in human form, naked, with hideous faces. The devils supporting the cauldron have no horns, and one of them has a three-clawed hand, as also has the devil below which pushes the soul into the flames. The two devils with the prongs have hairy heads, horns, large ears, and human hands with thumbs. The devil on the extreme left appears to have a three-clawed foot.

All the motives of this sculpture have their parallels in the representations of the punishment of the damned, which forms one scene in the great drama of the Last Judgment, so strikingly illustrated in the tympana of many great doorways of the twelfth and thirteenth centuries in France. In England the tortures represented here have their parallel in one of the series of twelfth-century sculptures on the west front of Lincoln,<sup>1</sup> in which, however, the cauldron motive does not occur. In the representation of the Last Judgment on the tympanum of the central doorway of the west front of Autun cathedral,<sup>2</sup> in the scene of the weighing of souls, Satan is trying to pull down the arm of the balance on the side where the scale bears a damned soul, and behind him another devil brings a lizard, an emblem of evil, to add to the weight. Behind again a devil is thrusting two souls into a cauldron, while from the furnace below issues another devil who drags other souls towards the cauldron; with a two-pronged fork in his right hand he attacks a female figure (Luxury), with a serpent at her breast. In the lower tier, which represents the resurrection of the good and evil, three of the latter

<sup>1</sup> E. Trollope, *The Norman Sculpture of Lincoln Cathedral*, in the *Archæological Journal*, vol. xxv. (1868), p. 14, and fig. 12. See also the paper by Dr. James, cited below.

<sup>2</sup> Autun cathedral was commenced

about 1120; there was a consecration by Pope Innocent II. in 1132, but the church was still unfinished in 1146. Harold de Fontenay and Anatole de Charmasse, *Autun et ses monuments* (Autun, 1889), pp. cxlii., cxliii.

have symbols of their vices—a woman has two serpents biting her breasts (Luxury)<sup>1</sup>; a man has a purse suspended from his neck (Avarice)<sup>2</sup>; and another appears to bear a cask (Drunkenness).<sup>3</sup> As an example of the completest development of the theme towards the end of the thirteenth century, I may mention the tympanum of the central doorway of the west front of Bourges cathedral. Here some of the devils are armed with two-pronged forks; they are pushing along the damned towards and into the cauldron. On the right is a great inverted hell-mouth, vomiting flames around the cauldron above, while two devils are blowing the flames with bellows; on the edge of the cauldron are two toads, one at the mouth of a soul, and the other sucking the breast of a female figure, both of these souls being within the cauldron.<sup>4</sup> M. Mâle remarks that in such scenes as these we find scarcely any trace of dogmatic teaching. "The bestial hideousness of Satan and his acolytes, their cynical gaiety, the liberties which they take with more than one noble lady, the despair of the damned—all these characteristics arise from the popular fancy."<sup>5</sup> He goes on to show, however, that the mouth of Hell is the mouth of Leviathan described in the Book of Job. The verses, "Out of his nostrils goeth smoke, as out of a seething pot or cauldron," and "He maketh the deep to boil like a pot,"<sup>6</sup> passed for an exact description of Hell. This imagery was translated literally by the artists of the thirteenth century, so much so that they represented a boiling cauldron in the yawning mouth.<sup>7</sup> It would appear to be possible, therefore, that the exhalations from the nostrils of the great heads in this York sculpture may have been suggested by the smoke from the nostrils of Leviathan, and that their snake-like form and the lizard which terminates one of them may indicate the poisonous character of the exhalations. Probably also the three heads here may be explained by the representations of Satan as a monster with three heads.<sup>8</sup> We see here, too, a feature which frequently charac-

<sup>1</sup> On the west jamb of the porch of Moissac, Luxury is represented by a naked female figure, with a serpent at each breast, a toad at her loins, and a devil grasping her wrist (G. Fleury, *op. cit.*, fig. 20). On the inner face of the left jamb of the doorway of the narthex of Charlieu (Loire), Luxury is represented by a similar figure, with a serpent at one breast and a toad at the other (F. Thiollier, *L'Art roman à Charlieu et dans les régions voisines* (1894), pl. 3).

<sup>2</sup> Cf. p. 439 *ante*, note 1.

<sup>3</sup> Two of the blessed in this resurrection scene bear pilgrims' wallets, one orna-

mented with a cross, the other with a shell. For illustration of this tympanum, see A. Du Sommerard, *Les Arts au moyen âge* (Paris, 1838-1846), pl. 21 of 3rd series.

<sup>4</sup> This scene is illustrated by fig. 124 in M. Mâle's work, *L'art religieux du XIII<sup>e</sup> siècle en France*, p. 424.

<sup>5</sup> *Op. cit.*, p. 422.

<sup>6</sup> *Job* xli, 20, 31.

<sup>7</sup> E. Mâle, *op. cit.*, p. 423. The whole subject of the representations of the 'Doom' is admirably discussed in his chapter vi., pp. 400-432.

<sup>8</sup> Cf. Dante, *Inferno*, canto xxxiv., 38.

terises these hell scenes—the wicked are suffering punishments suited to their particular vices. Thus the avaricious are weighted down in the flames by their money-bags, the sensual are attacked by unclean reptiles, while toads attach themselves to the lips of the slanderers.

It is impossible to study this York sculpture without being struck by the vivid imagination displayed by the artist, the intense realism of his conception of the horrors of hell, and his vigorous handling of the subject. Apart from the relative crudeness of the sculpture when compared with the fully developed examples of the thirteenth century, it is distinguished by a weird savagery which is not surprising when we regard it as a product of northern imagination.<sup>1</sup> At the same time the rendering of the figures and reptiles is remarkably true to nature, and certainly cannot be called grotesque.

Before venturing any suggestion as to its probable date, something may well be said of another sculptured fragment in York, which, if not actually contemporary, is, I think, certainly the work of the same school. This is now preserved in the Museum of the Yorkshire Philosophical Society, on the ground floor of the 'Hospitium.'<sup>2</sup> The accompanying illustration is reproduced from a photograph which Dr. Auden has very kindly taken specially for this notice. It was found in 1817, laid with the face downward, at the bottom of a flight of steps leading into an old building called the 'Dungeon,' which was discovered when a public-house, known by the name of the 'Hole in the Wall,' was taken down in 1816.<sup>3</sup> This 'dungeon' appears to have been a crypt under the chapel of the Holy Sepulchre, built by Roger of Pont l'Evêque (archbishop 1154–1181), at the gate of the archbishop's palace, which was also built by him.<sup>4</sup> The stone in question, which formed the lower part of a semicircular tympanum,

<sup>1</sup> Compare, for example, a representation of Hell in an illuminated psalter said to have been executed for Henry of Blois, Bishop of Winchester, before 1161 (Brit. Mus., Nero civ.), illustrated in *Histoire de l'Art*, edited by André Michel, vol. ii., p. 314. M. Arthur Haseloff, speaking of this psalter, says:—"Le goût du fantastique sombre et sauvage, qui a sûrement son origine dans le caractère du peuple saxon, s'exprime avec une force géniale dans le thème, naturellement préféré, du Jugement dernier, qui ne remplit pas moins de neuf miniatures. Dans la représentation des tourments infernaux, l'art anglais ne peut être surpassé. Sa création la plus originale est celle de l'Enfer conçu comme une gueule énorme et grimaçante. Nulle part cette conception n'a pris une forme aussi

effrayante que dans ce psautier." (*Ibid.*, ii., 315.)

<sup>2</sup> In the Society's catalogue the stone is described as "A sculpture, representing the torments inflicted on a dying person by evil spirits. It was found reversed in the dungeon of a building near the N.W. tower of the Minster. Deposited by the Dean and Chapter in 1862."

<sup>3</sup> W. Hargrove, *History and Description of the ancient City of York*, vol. ii., p. 126, and plate 9. John Browne, *The History of the Metropolitan Church of St. Peter, York*, p. 319.

<sup>4</sup> Thomas Stubbs' Chronicle, in *The Historians of the Church of York and its Archbishops* (Rolls Series), ii., 398. The chapel was immediately north of the western bays of the present nave (see plan in Browne, p. 181).

measures 3 feet  $8\frac{1}{2}$  inches in length at the bottom, 2 feet  $7\frac{1}{2}$  inches in length at the top, 1 foot  $1\frac{1}{2}$  inches in height, and about 11 inches in thickness. Like the stone recently found, it is of magnesian limestone from the neighbourhood of Tadcaster. On each of the outer edges of the tympanum is a flat band about 2 inches in width, with a slight chamfer on its inner edge, immediately above which is a narrow band of circular convex projections, or pearls, each about three-quarters of an inch in diameter.<sup>1</sup> Along the lower part of the stone is the recumbent figure of a man *in articulo mortis*, bearded, with the upper half of his body naked, and the lower half, from the waist, draped. Above are three tormenting devils, arranged to harmonise with the lines of the arch. The devil on the left has horns, large ears, a hideous face with large mouth and grinning teeth, hairy body, arms and legs, wings, and a twisted tail. His right hand grasps the soul of the dying man, represented by a small naked figure issuing by the legs from his mouth. The left hand of this devil is represented as passing behind the body of the soul, and grasping the jaw of the dying man as if it had forced the mouth open to allow the soul to escape; the two fingers are broken away from the lip, but the third is distinctly seen under the chin, with a long nail-like claw exactly like that which grasps the back of the head of the soul. Over the dying man is the second devil, similarly represented with horns, wings, hairy arms and body, tail, and cloven feet, and with his legs crossed as if flying; his big mouth is biting the left arm of the soul; his right hand, which grasps the left arm of the dying man, has three long claw-like nails, and his left hand seems to be represented with fingers and thumb; he is cloven-footed, and apparently has had a tail. On the right is the third devil, squatting, with horns, hairy arms and body, and tail, but he has no wings, and his feet are not cloven; his hands are grasping something which has been broken away. The general character of the sculpture very closely resembles that of the larger stone. The hair on the heads of the central and right-hand devil is represented by a series of circular convex projections, precisely like those on the upper and lower heads on the right side of the larger stone.

This tympanum may be compared with a parallel representation, which occurs in the series of twelfth-century sculptures on the west front of Lincoln,<sup>2</sup> shown in the accompanying illustration.<sup>3</sup> Here two

<sup>1</sup> This pearl ornament occurs on several carved stones of the latter part of the twelfth century, preserved in the Museum.

<sup>2</sup> E. Trollope, *op. cit.*, p. 12, and fig. 10. E. S. Prior and A. Gardner, *Medieval Figure-Sculpture in England*, in the

*Architectural Review*, vol. xii. (Oct., 1902), fig. 46, p. 150.

<sup>3</sup> I have to thank Mr. Arthur Gardner for his kind permission to reproduce this photograph.



angels receive the soul of a dying man, lying prone and naked to the waist. Below a devil is pushing three souls down into a great hell-mouth. Dr. James<sup>1</sup> explains these subjects as the death of Lazarus, 'carried by angels into heaven,' and of Dives, whose two friends share his doom, and he connects them with other adjoining sculptures which represent Dives feasting with two companions, with Lazarus at the door with dogs licking his sores, and Abraham's bosom.<sup>2</sup> This last subject frequently appears in representations of the Last Judgment.

We have still to consider the question of the date and position of these York sculptures. It is possible that the tympanum may have belonged to the building in which it was found as a loose fragment,<sup>3</sup> though this by no means necessarily follows, and on other grounds I think it is more likely that it came from the adjoining west front of the Minster. There can be little doubt that the larger stone once adorned the Minster. Still no documentary evidence has survived, nor is there anything in the building itself to assist in forming a definite conclusion. The remaining parts of the crypt of the choir reconstructed by Archbishop Roger of Pont l'Evêque, and the surviving fragment of the palace which he built on the north side of the cathedral, do not afford much assistance in dating these sculptures, though it is possible that the latter may have formed part of some unrecorded work constructed in the later years of his episcopate. The next recorded work is the reconstruction of the south transept by Walter de Grey (archbishop 1216-1255), but there is no place in his work for these sculptures, which are decidedly earlier in character. We have but little evidence, therefore, beyond that which is afforded by the two stones themselves.

If we compare them with works which we have reason to place about the middle of the twelfth century, we find here very decided development in the style of their sculpture. Instead of the flat treatment, and the rigid attitudes and stiff drapery of the mid-twelfth century, we have here full modelling, vigorously natural attitudes, and greater freedom generally. On the other hand, the drapery of the

<sup>1</sup> *Cambridge Antiquarian Society's Proceedings*, vol. x. (1901), p. 150.

<sup>2</sup> Cf. the sculptures illustrating this parable on the west jamb of the porch of Moissac. The upper subject within the right arcade is the death of Dives, who is represented as lying in bed, with a devil taking his soul from his mouth; another devil takes his purse; and below is his weeping wife. The corresponding panel within the left arcade represents Dives in torment, with his purse falling

from him (G. Fleury, *op. cit.*, fig. 20). For a later treatment of the same subject cf. a panel in the lower part of the *Portail de la Calende* of Rouen cathedral (c. 1270-1280), described and illustrated in *Les portails latéraux de la cathédrale de Rouen*, by Mlle. Louise Pillion (Paris, 1907), p. 101 and fig. 30).

<sup>3</sup> Hargrove's suggestion (on his illustration) that the tympanum belonged to a doorway of the crypt, seems to me to be extremely improbable.

female figure on the larger stone is rendered by incised lines, in contrast with the more skilful modelling which we find in the sculpture of the first half of the thirteenth century. My conclusion then is that both these stones date from the last quarter of the twelfth century. This view is confirmed by an examination of many sculptured fragments of this period preserved in the York Museum, which prove too that York at this time possessed a vigorous school of sculpture.

As to the probable position of these sculptures, it is not possible to do much more than hazard a guess. It is important to note that neither appears to represent an isolated subject. Of the larger stone this is certain, and it is almost certain of the tympanum also, if (following Dr. James's explanation of the Lincoln sculptures) we interpret its subject as the death of Dives.<sup>1</sup> There can be no doubt that the larger stone formed part of a representation of the Doom, or Last Judgment, the most natural position for which would be on the west front. The tympanum, if it belonged to a doorway, would involve a very narrow opening (of slightly over 3 feet),<sup>2</sup> and it appears to be more natural to suggest that it may have been the tympanum of an arched recess, or of a bay of a wall-arcade. The Lincoln sculpture illustrated above suggests that these two York sculptures may even have been associated as scenes in the same drama, the large panel filling the lower part, and the tympanum the upper part of either the same or of two similar arched recesses, a conjecture which is not contradicted by their relative widths. We know that the builders of the Anglo-Norman school of the second half of the twelfth century never attempted to rival the great sculptured portals of Moissac, Conques, Autun, Vézelay, le Mans, and Chartres. We know their fondness for decorating their façades with ranges of wall-arcades.<sup>3</sup> These Lincoln and York sculptures suggest that the façades of these two cathedrals may have been decorated with a series of separate sculptured panels, set in the wall or within wall-arcades, forming a complete scheme of iconography, such as was afterwards developed on the west front of Wells. It is a matter of regret that, so far as York is concerned, the data are not sufficient to make this more than a reasonable conjecture.

<sup>1</sup> The analogy of the earlier sculpture at Moissac seems to me to make this interpretation certain for the York tympanum.

<sup>2</sup> The width of the tympanum on its lower edge, measured within the flat of the edge moulding, is 3 feet 3½ inches,

and from this must be deducted the width of the slight chamfer on the inside of the moulding.

<sup>3</sup> Compare the façades of contemporary churches in Poitou, Saintonge and the Angoumois.

## EVIDENCE OF THE RELIGIOUS BELIEFS OF THE ANCIENT BRITONS.

By J. R. MORTIMER.

"IF," observes Mr. Kemble, "it be true that nothing human can be without interest for a man, surely that which is of the religious belief of our forefathers must be of the deepest interest. It has something to do with making us what we are."<sup>1</sup> While Professor Macalister, in his presidential address in 1894, says: "How little do we know of the pre-Christian religion of our forefathers, and of the mythologies which were to them articles of faith."<sup>2</sup>

What we gather from history of the religion of the Ancient Britons is scanty indeed, and is mainly from Cæsar's account. He informs us that the Britons had an influential order of priests called Druids, who practised human sacrifices and taught the knowledge of the stars, and that they also believed the soul passed from one body to another after death.

But then this account refers to a much later period, probably by some thousands of years of their occupation of this island, than that of the erection of many of their burial mounds I have examined. In these explorations on the wolds of Yorkshire I have often found relics with the interments, and traces of other customs, which seem to indicate a belief in a future state. Whilst in many cases the burial mounds are arranged after the plan or figure of the seven bright stars of Charles's Wain in the constellation of Ursa Major—indicating astral worship. Up to comparatively recent times nothing further was known on this interesting question.

Figuier in 1870 wrote: "Did any religious worship exist among the men of the Bronze epoch? Nothing could be more interesting than any discovery bearing on this point; but up to the present time no vestiges of anything in the shape of an idol have been found, or anything whatever which authorises us unhesitatingly to answer this question in the affirmative."<sup>3</sup>

It is interesting, however, to know that since 1870 the barrows have afforded considerable information upon which to build a theory respecting the religious ideas of the Britons—information, indeed, even more varied than we could at first hope for.

<sup>1</sup> *Germania*, ix.

<sup>2</sup> *Journal of the Anthropological Institute for 1894*, vol. xxiii, p. 415.

<sup>3</sup> *Primitive Man*, p. 280.

Their burial mounds, not infrequently of large size, which must have been painfully constructed, seem to show strong evidence of ancestral worship, which was almost certainly one of the oldest forms of religion. The primitive recognition of elders and rulers on earth would lead to their assistance being sought after death, and homage being paid to their spirits.<sup>1</sup> While the depositing of various articles as amulets with the dead—such as portions of fossil shell (*Gryphaea incurva*) (in barrow No. 98), worked pieces of bone (in barrow No. 3), the portion of a whorl of an ammonite, and the grooved spindle-shaped article of jet from barrow No. c 53, the front teeth of the beaver (barrows Nos. 98 and 273)—excavated by me, and the tusks of the boar, in many instances placed apparently as charms<sup>2</sup> and fetishes to bring good fortune to their owners, indicate their belief in the practice of magical arts. These are superstitions natural to mankind at large, and especially powerful in races of low culture.

"The practice," says Canon Greenwell, "of burying various articles in the graves and of placing a vase, the supposed" [undoubted] "receptacle of food, beside the dead, has usually been looked upon as proof of a belief in a future state of existence. It necessarily follows that, if a belief in a future state is proved by the occurrence of weapons, implements, ornaments, and food, associated with the buried person" (as well as of domestic animals,<sup>3</sup> also kindred, friends, and attendants in numerous instances), "that second life must be supposed to have been similar in kind to the first one which had just ended. In this future there were enemies against whom the warrior must be prepared in arms; there were wild animals which he must be provided with the means of capturing; there were husbands and friends to be charmed by the added decoration of ornament and dress; there were happy hours of childhood to be brightened by such pleasures as gladden the young heart. It may

<sup>1</sup> "The rudimentary form of religion," says Spencer, "is the propitiation of the dead ancestors."

<sup>2</sup> Dr. Thurnam on Round Barrows, p. 146, mentions fossils being found with interments, and similar articles have been found with the dead by nearly every explorer of grave mounds, whilst the three very remarkable chalk objects found by Canon Greenwell (which I mention later) came under this class.

<sup>3</sup> As indicated by the bodies of three animals accompanying a man in barrow No. c 72, and other instances. The entire skeleton of a bison found in a tumulus associated with human remains. (Morehead's *Prehistoric Man in Ohio*, p. 19.)

In a cist under a barrow in Staffordshire was a skeleton of a young hog, accompanied by a tine of a stag's horn. (Bateman's *Ten Years' Digging*, p. 135.) Canon Greenwell found four goats accompanying a man in one of the mounds at Danes' Graves (*Archæological Journal*, vol. xxii.), and two pigs and two goats were found in 1898 with the body of a man in the same Danes' Graves. This custom continued into late Romano-British times, as proved by the burial of a pig in a graveyard at Plealand's Nook, and with the body of a man on North Grimston Brow. (See *Forty Years' Researches in British and Saxon Burial Mounds of East Yorkshire*, pp. 196 and 355, by J. R. Mortimer.)

well be that a hope like this took something of its sting from the dreaded forecast of death." The Canon adds: "A similar belief has been shared by many a different race, in ages far apart, in many a varying clime, and under forms of religious faith which have agreed in little beyond this natural expectation."

So would they leave this world full of bright expectations, and without any terror of the supposed torments many of us are taught to believe in. However, to these bright hopes of the future then believed in, I give two recorded exceptions. In Homer's *Nekromanteia* the Ghost of Achilles is made to say:—

"Rather I'd choose laboriously to bear  
A weight of woes, and breathe the vital air,  
A slave to some poor hind that toils for bread,  
Than reign the spectred monarch of the dead."<sup>1</sup>

While Claudia said: "The weariest and most loathed worldly life is a paradise to what we fear of death."<sup>2</sup>

A feeling, however, contrary to the above seems almost universally to have prevailed amongst the less cultivated races we have had to do with. This pious belief in an after life prompted the survivors to place food and implements with the dead, and also to sacrifice those animals—and not infrequently relations and attendants—that had been their companions here, in the hope that they would accompany and be of use to them in the life which they were thought to continue after death. Such a belief, however, was not confined to this low state of culture of the Britons. The Ancient Egyptians placed figurines of slaves (*ushabti*) in the tombs, to do the field labours in the nether world, as decreed by the god Osiris, judge of the dead.<sup>3</sup> This must have been a survival of the once actual burying of slaves. In these early times man believed that every animal and every tool he possessed would have a future life as well as himself.<sup>4</sup>

The three very remarkable chalk objects—described and figured in the *Archæologia*, vol. lii.—accompanying the unburnt bones of a youth found by Canon Greenwell in a barrow (No. 255) in the parish of Folkton in the Yorkshire Wolds, during the summer of 1889, have almost certainly some religious bearing.<sup>5</sup>

In shape they much resemble the Melton Mowbray pork pies, and measure from  $5\frac{3}{4}$  to 4 inches in width, and a little less in

<sup>1</sup> *Irish Druids*, p. 289, by James Bonwick, F.R.G.S.

<sup>2</sup> *Anthropological Journal*, May, 1895, p. 355.

<sup>3</sup> Nearly seven hundred *ushabti* figures were found in the tomb of Seti I.

<sup>4</sup> At the present time civilised man in general believes only in his own future existence. Will a further mental development retain this?

<sup>5</sup> These objects are now in the British Museum.

height. Their sides are ornamented with raised lines, partly after the ornamentation of some of the finest kind of drinking-cups, with, in places, the addition of what seems to be the representation of the upper part of the human face. This latter is almost identical in form with the so-called "owl-faces" engraved on idols and vases found by Dr. Schliemann in his excavation in the third burnt city on the site of Troy.

This figure also resembles the Egyptian symbol of the two eyes of the sun, the one symbolising the northern half of the sun's daily course, and the other the southern half.

The Egyptians supposed that those who wore it, whether living or dead, were safe and happy under the eye of Ra,<sup>1</sup> the Sun God. Mr. A. J. Evans, in his address to the Anthropological Section of the meeting of the British Association at Liverpool in 1896, alludes to these three specimens, and says: "Upon the sides of two of these chalk caskets, associated with chevrons, saltires, and lozenges, were rude indications of faces—eyes and nose of bird-like character—curiously recalling the early Ægean and Trojan types of Dr. Schliemann." He adds: "The third chalk disc exhibits, in place of the human faces, a butterfly with volute antennæ, reminding us of the appearance of butterflies as a decorative motive on the gold roundels from the shaft graves of Mycenæ, as also on early Mycenaean gems of steatite from Crete, in the latter case with the feelers curved outward in the same way."

The latter figure may have symbolised, both on the chalk caskets and on the Mycenaean gems, the supposed form the spirit took in its flight to the stars—its heavenly abode. A very beautiful conception, probably derived from observing the butterfly emerging or springing forth from its chrysalis and taking its aerial flight.<sup>2</sup>

That these three remarkable and quite unique objects were of the nature of idols or inscribed amulets, placed with the dead person to protect him in another world, there can be little doubt; and it is highly probable that they are symbols bearing on sun-worship.<sup>3</sup>

Three was considered a sacred number in all early religious faiths, this number being acceptable to the gods, and its divinity survived in our belief in the Trinity.

These revered funeral ceremonies, the preparation for that state in the next and distant world which was expected to be but a

<sup>1</sup> *The Mummy*, by E. A. Wallis Budge, p. 264.

<sup>2</sup> The Naga and other frontier tribes of North-East India, believe the spirit of a dead person is finally changed into insects, especially butterflies. (*Journal*

*of Anthropological Institute*, vol. xxvii., No. 1, August, 1897.)

<sup>3</sup> Tylor, in *Primitive Culture*, vol. ii., p. 259, says that one great foundation of all idolatry (?) was the veneration paid to the sun.

continuance of this, seem to have been more of the nature of rejoicing than that of mourning, and probably were at one period the chief, if not the only, religious ceremonies practised.

The poet Lucan thus describes the religion or belief of the Druids of Gaul and Britain :—

“If dying mortals’ dooms they sing aright,  
No ghosts descend to dwell in dreadful night;  
No parting souls to grisly Pluto go,  
Nor seek the dreary silent shades below.  
But forth they fly, immortal in their kind,  
And their bodies in new worlds they find.”

That their belief was that this future life would be among the innumerable multitude of stars in the boundless vault of heaven is more than probable. Sabianism was undoubtedly an early basis of all the religions of the ancients.<sup>1</sup>

The sun<sup>2</sup> would first impress a feeling of reverence on the mind of primitive man, and an adoration of the heavenly bodies would follow. Burning the body, and by so doing purifying and liberating the spirit for a renewed life, to enable it more readily to take its flight to another world,<sup>3</sup> was probably one of the chief recommendations of the practice of cremation, producing as it did a transmutation and escape from dark perishable clay to luminous ether.

That fire entered in some way or other into the religious obsequies of every burial, whether by cremation or by inhumation, is shown by the ever-present portions of carbonised wood, more or less numerous near the body in the grave, and also in the substance of the barrow. The same may be said regarding the presence of chips of flints, which occur with the interments and scattered in the substance of the barrow. In early times flint with pyrites would be the chief and readiest agent for procuring fire, and would consequently acquire a sacred value.

The first person who put into practice the obtaining of fire from flint and pyrites was a great benefactor. The simplest, the purest, and one of the most ancient and universal forms of religion seems to have been the worship of fire and of the sun. It would not be natural had it been otherwise. They have bestowed more blessings on man than have any other two things.

The adoration of fire was the adoration of what was considered to be one of the greatest or sovereign powers of nature. In the

<sup>1</sup> The Sabbath—a Babylonian word—Philo says, was kept by all nations of antiquity. The sun, moon, and five planets were the guardians of the days. (*Irish Druids*, by Bonwick, p. 37.)

<sup>2</sup> To the Brahmin the sun is the soul of all that is fixed or locomotive. (Tylor’s *Primitive Culture*, vol. ii., p. 266.)

<sup>3</sup> The soul of a good man rises with the smoke of his funeral pyre. (*Ibid.*, p. 44.)

ancient Hindoo religions, "Agni," god of fire, has more hymns addressed to him than any other god. His wonderful birth from two pieces of wood rubbed together is sung in glowing language.<sup>1</sup> That fire worship, including that of the heavenly bodies, was extensively practised by the Ancient Britons<sup>2</sup> is fully shown by my researches in the barrows.

Sabianism, the religion of the stars, would at a very early period impress itself upon the mind of primitive man. The arrangement and motions of the heavenly bodies would produce much wonder and adoration, and be a great puzzle to him.<sup>3</sup>

After his discovery of the method of procuring fire and the introduction of burning the bodies of his dead, man would observe the close resemblance the bright twinkling stars bore to the funeral pyres kindled at night on the summit of some distant hill. Then he would probably be led to look upon the stars as the blaze of a vast number of the funeral pyres in a distant world. What Pomponius Mela writes of them in his third book is marvellous. He says, in speaking of the Druids' priests among the Gauls, that they held the soul to be immortal, and that another life was reserved to them in another world. And in burning and burying the bodies they held the same mode of proceeding and of proclaiming their renown which was employed among the living on this side of the grave, was practised on the other side of it.

The early-recognised motion of the seven stars of Charles's Wain in the constellation Ursa Major—the most striking group in the northern hemisphere—would quickly become an object of adoration.<sup>4</sup> The Ancient Egyptians worshipped the northern (pole) stars before they worshipped the sun. On this constellation the polar dial wheeling round the pole-star, forming the hand of nature's unceasing timepiece, primitive man would gaze with wonder and reverence, and would presently observe that from night to morning it described half a circle, and from morning to night a similar distance was accomplished, and that by attention to this, time could be approximately measured.<sup>5</sup>

<sup>1</sup> Clodd, *Childhood of Religion*, p. 146.

<sup>2</sup> In the *Archæologia Adælanis*, p. 113, Britheyn (Britain) or the "fire-land" is said to be the original meaning of the word Britain—the land of fire and sacrifices,—Fire or Solar Worship.

<sup>3</sup> Sky worship was an actual fact (*Footsteps of the Past*, by J. M. Wheeler, p. 19); and Max Muller claims that the worship of the bright heavens preceded even sun worship and the belief in

the personal divinities. (*The American Antiquarian Journal*, vol. xvi., p. 217, 1894.)

<sup>4</sup> In the higher forms of faith, the round dance was with the sun and the stars round the pole-star. (J. M. Wheeler, *Footsteps of the Past*, p. 96.)

<sup>5</sup> The Gauls and Britons reckoned time not by the days but by the nights. (*The Pictorial History of England*, vol. i., p. 61.)



The Ancient Britons have handed down to us substantial evidence of their great reverence for the group of stars forming Charles's Wain in the constellation Ursa Major, by having dotted the ground on which they lived with their burial mounds very often so arranged in groups after this figure<sup>1</sup>—as I have shown by a diagram in the proceedings of the Yorkshire Geological and Polytechnic Society for 1897, page 210; also in the Transactions of the East Riding Antiquarian Society, vol. iii., page 53.

Almost certainly the seven stars so often mentioned by the ancient writers refer to Charles's Wain, and not to the Pleiades, as the number of stars in this group is too uncertain to unaided vision to be so frequently alluded to, as consisting of the number seven, while good eyes or slightly-aided vision shows the number still more uncertain.

The ancients believed that the spirits of their departed friends dwelt in the stars, and this belief existed at least up to the time of Virgil, who invites Cæsar into his own constellation, and again alludes to this belief in the two following lines:—

"No room is left for death, they mount the sky,  
And to their original planets fly."

—*Georgics*, iv., line 330.

Plutarch says the gods shine in heaven as stars.

Comets were thought to be the spirits of great men, and the one which appeared in 43 B.C. was believed to be the soul of Julius Cæsar on its heavenly journey.

It is probable that in several cases it would occur to those conducting the funeral ceremonies for the dead, whose spirits were destined for a particular star in a certain constellation, that the funeral mound and pyre should hold a relative position with other mounds and pyres, so as to form one of the group of barrows after the figure of that constellation. Hence the frequent occurrence of groups of barrows after the striking plan of the seven bright stars of Charles's Wain in Ursa Major, as previously mentioned.

The once almost universal belief of man, that the stars were the happy homes of his separated friends, to whom he was destined to follow, undoubtedly afforded a pleasing and in those crude times a noble conception, well fitted to soften the mental pangs of dying mortals, and to brighten the expectations of the living.

<sup>1</sup> That this figure was held with reverence in later (Roman) times we gather from the allusion made to (apparently as a virtue) the moles on the body of Octavius, which exactly resembled the constellation of Ursa Major. While

various British coins exhibit symbols of stars, crescents and suns, especially the coins found at Farley in Surrey, in 1848. (*Numismatic Chronicle*, vol. xi., p. 92, figs. 5 and 6; *Archæological Journal*, vol. xiii., p. 304, fig. 1.)

## CHantry AT WATH BY RIPON.

THE following copy of an original licence in mortmain of the year 1327 has been communicated by Mr. S. J. Chadwick, F.S.A., who met with it in a private collection of deeds.

<sup>1</sup>DWARDUS Dei gratia, Rex Anglie, Dominus Hibernie & Dux Aquitanie Omnibus ad quos presentes littere pervenerint, Salutem. Licet de communi consilio regni nostri statutam sit quod non liceat viris religiosis seu aliis ingredi feodum alicuius ita quod ad manum mortuum deueniat sine licenciâ nostrâ et capitalis domini de quo res illa immediate tenetur. Per finem tamen quem Johannes de Appelby persona ecclesie de Wath iuxta Rypon fecit nobiscum concessimus et licenciam dedimus pro nobis et heredibus nostris quantum in nobis est eidem Johanni quod ipse quatuor mesuagia, sex bouatas et nouem acras terre et dimidiam, quatuor acras prati et dimidiam et quatuor solidatas redditus cum pertinentiis in Holm, Melmerby, Middelton Rokeby, Pykall, Sutton, Hougraue, et Wath iuxta Rypon dare possit et assignare cuidam capellano diuina singulis diebus in ecclesiâ Parochiali beate Marie de Wath pro animâ ipsius Johannis et animabus antecessorum suorum et omnium fidelium defunctorum celebraturo Habendum et tenendum eidem capellano et successoribus suis capellanis diuina singulis diebus in ecclesia predicta pro animabus predictis celebraturis imperpetuum. Et eidem capellano quod ipse predicta mesuagia, terram, pratum, et redditum a prefato Johanne recipere possit et tenere sibi et successoribus suis predictis imperpetuum sicut predictum est tenore presencium similiter licenciam dedimus specialem Nolentes quod predictus Johannes vel heredes sui seu predictus capellanus aut successores sui predicti ratione statuti predicti per nos vel heredes nostros inde occasionentur in aliquo seu grauentur. Saluis tamen capitalibus dominis feodi illius seruiciis inde debitis et consuetis.

In cuius rei testimonium has litteras nostras fieri fecimus patentes. Teste me ipso apud Ely quinto decimo die Augusti anno regni nostri primo.

Part of the seal is attached by a plaited silk cord.

Obverse, the king seated on his throne holding an orb in his left hand. Head and right arm have disappeared.

<sup>1</sup> There is no capital E in the original, but a space is left for a long narrow letter.

Reverse, king (head gone) on horseback. Traces of three lions on hind quarter of horse.

Indorsed. License of Mortmaine for the purchacing of landes towardes the maintenance of a chanterie in Wath 1 Ed. 3. 1327.

No. 2. G 26.

At the dissolution in 1546, there were chantries at Middleton Quernhow and at Norton Conyers within the parish of Wath, besides two in the parish church, namely those of St. Lawrence and St. John the Baptist. It is to the last of these that the licence refers, and the Norton aisle, as it is now called, was erected about 1330, in the position of a south transept. Institution to this chantry took place in 1423, on the presentation of Sir Henry Fitzhugh, patron. (*Reg. Bowett*, fo. 20.) In 1546 Christopher Best was incumbent of the chantry, which was of the foundation of John Appulbye, clerk, to the intent to pray for the soul of the founder and all Christian souls, as apperith by composicion dated the Wednysday afore Seynt George is daye in the year of our Lorde God a thousand three hundred thyrtye and two (22nd April, 1332). Christopher is 68 years of age, well learned, of honest conversation and so forth, in common form. There are 260 howselyng people in the parish, and the net value is 69s. 11d.

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## CHURCHWARDENS' ACCOUNTS AND OTHER DOCUMENTS RELATING TO HOWDEN.

By G. E. WEDDALL.

THERE are many interesting entries in the churchwardens' book from 1593 to 1666, which is in a poor condition, with edges sadly frayed, and contains 141 leaves measuring  $11\frac{3}{4}$  by  $7\frac{1}{2}$  inches. It bears the signatures of various parishioners who attended the vestry meetings, and whose names are well known to the Yorkshire genealogist. Amongst them are Gate, Metham, Machell, Pocklington, Readhead, Monckton, Girlington, Warton, Musgrave, Athropp, Saltmarsh, Belt, Blanshard, Dunn, Awdus, Abbott, Sutton, Arlush, Dolman, &c.

Old churchwardens' books are always interesting, and often valuable in throwing light upon the duties of the wardens with regard to Poor Laws and rating, and upon the expenditure of money possibly in law-suits, whereby questions of liability have been settled. In the Howden book (*inter alia*) are two interesting memoranda, bearing upon the question of liability of the then possessors of alienated church property for the repair of the chancel (which fell in 1696), and also for the supply of bread and wine. The first memorandum is as follows:—

“Memorandum. Thatt, by the hole consent of the parische, it was thys xiiij<sup>h</sup> of October, this xxxvij<sup>h</sup> yeare of hir Majestes reayne, and in the yeare of our Lord Godd 1595, by the advise of Thomas Metham of Metham, and the preacher, and curate there, thatt one hole sesment shalbe collectyd and gatheryd. We hear find part of the half sessment is all redy collectyd, w<sup>ch</sup> former part of this sessment is to be collectyd by the churchewardens, and so acowmptyd of presently to the use of the body of the churche and such other charges as the parysche formarly have been used to bear, and thother halfe sessment is lykwyys to be collectyd by the sayd churchewardens and delyveryd into the handes of the most honest substantiyall person of every severall Townshipe, who is to kepe the sayme alwayis redy to imploy as occasyon and cause requyers towards and for the altraynyng<sup>1</sup>. . . . of a sute of the ryght honorable our very good Lord, the Lord Wylliam Burley, Lord Hyghe Treasurar of England, for the repayr, amendment, and contynuall mayntenance of our

<sup>1</sup> “altraynyng,” perhaps arranging.

chansell or quyer att Howden, and for syndyng of bread and wyne for the comunycants of the hole parysche, as oft as nede shall requyer; and if thatt it prove that M<sup>r</sup> Sandes, now tenant to hir hyghenes of the devydent,<sup>1</sup> of Houlden, be nott chargeable in law wythe the said repayr and bread and wyne so as is aforsayd.

|             |                    |
|-------------|--------------------|
| Tho. Metham | William Pearsen    |
|             | James Dalbye       |
|             | John Higdon        |
|             | Edward Pearstone." |

The second memorandum is on the next page and runs as follows:—

"Februarye the 16<sup>h</sup>, before y<sup>e</sup> parysh.

"It is agreed that a survey shalbe mayd by M<sup>r</sup> Heugh Bethell, surveyor to her Ma<sup>tie</sup>, & other woorshipfull gentlemen, neare neighbours unto Howden, if they maybe intreated therto, w<sup>th</sup> the honest and substantiall men of the parish, by the vewe of woorkemen, what trees will repayr the decayes of the tymber, what money the decay of stone, and so of the others, and this to be procured if it may be before the Assises next insuinge.

"It is agreed by consent that bread and wine shalbe fownde by the farmers for this Easter next, as it haith bene accustomed and as shalbe thought good by my Lord Grace and the Commissners.

"It is further agreed that M<sup>ris</sup> Sandes her case shalbe seene and consydrd of by learned counsell, and if it fall out by ther resolution that the charge of the repayer of the quire be layd upon M<sup>ris</sup> Sandes, or her tennant, then law to be prosecuted by the consent of the parish to compell them. And if she be ad[j]judged of it in law, then the orders of the High Commissioners to be performed and all thes thinges to be concluded by whole consent of the parish, and by expedition.

|                  |                      |
|------------------|----------------------|
| Tho: Metham      | Thomas Metham        |
| Robt. Saltmarshe | William Pearson      |
| Thomas Metham    | Christofer Hartforth |
|                  | George Consett       |
|                  | Edward Pearson."     |

The accounts show charges for repairing bells, bell-ropes, clock, windows, schoolhouse, ringing curfew, relieving lame soldiers and beggars licensed by my Lord Grace, the Lord High Admiral, and the Bishop of Durham; for mending the bier, the stalls in the choir, &c.;

<sup>1</sup> "devydent" = dividend, something to be divided. The income, after paying for the bell-ropes and bread and wine, was divided between the Prebends of

Howden. Although the property was sold by the Crown, the purchaser did not repair the chancel, the repair of which was also a charge on the "devydent."

and there is a complete rate-book for the town of Howden in 1606, with the names of the ratepayers in the four streets (each of which had one churchwarden), namely Market Place, Haylegate, Bridgegate and Flatgate, and which together raised £7 os. 9d. in one rate. There was also a churchwarden for each of the villages—or townships—then in the parish, namely Barmby, Asselby, Knedlington, Skelton, Saltmarsh, Cotness, Metham, Yokefleet, Laxton, Kilpin, Thorpe, Belby, Balkholme and Linton-cum-Newland, so that in all there were eighteen churchwardens. The villages contributed £18 8s. 7d. to a “whole sessment,” and the proportion remained the same from first to last in the book.

## EXTRACTS FROM THE HOWDEN CHURCHWARDENS' BOOK.

Disbursement maid by Edward Pearson, churchwarden from  
1 Dec., 1594, being then chossen untill 11 April, 1596.

|   |                                 |
|---|---------------------------------|
| Item paid Milles Graie, 17 March, 1594, for 2 yeares fee,<br>endinge at Midsomer next after                             | 26/8                            |
| Item paid him, 27 March, 1595, for glasseinge and lyminge<br>the wyndowes, as by his acquitans dothe apeare             | 44 <sup>s</sup> /               |
| Item paid W <sup>m</sup> Stonner for 22 daies & meat and drinke, at<br>/6 <sup>d</sup> a daie                           | 11 <sup>s</sup> /               |
| Item for peats, wood, and redes, for the fire   | 2/2                             |
| Item for two hundrethe nailles  | /2 <sup>d</sup>                 |
| Item for Stevene Scorbroughe, wright, for halffe a yeare fee,<br>dewe 25 March, 1595                                    | 10 <sup>s</sup> /               |
| Item to Shercroft wiffe for wyne, y <sup>t</sup> was owinge for beffor  | 15/9                            |
| Item to ould Turner, joiner, for fowre pulles for the bells   | /12 <sup>d</sup>                |
| Item to George Chapmane for mendinge the ille doures  | 12 <sup>d</sup>                 |
| Item to Robert Fotherbe for irone worke   | 2 <sup>s</sup> /10 <sup>d</sup> |
| Item to John Hawlle, clarke, at Candlemas, 1594, for thre<br>quarters of a yeare fee for kepinge the cloke dewe beffore | 15 <sup>s</sup> /               |
| Item to M <sup>r</sup> Worsinfeld, a preacher   | 3/4                             |
| Item to M <sup>r</sup> Fothergill for being sworne —  | /4 <sup>d</sup>                 |
| Item for paper  | /1 <sup>d</sup>                 |
| Item to Robert bankes in money y <sup>t</sup> was dewe to kepe unto<br>him upone his accompt                            | 10/4                            |
| Item to the Plumer for lieing downe lead of the tope of the<br>stepell  | 2/-                             |
| Item to him for sex pounde sowther  | 4/-                             |
| Item to Lawrence Stamper for his <i>seane</i> <sup>1</sup> dais   | 18 <sup>d</sup>                 |
| Item to John Hawlle, clarke, for bread y <sup>t</sup> was owinge beffore  | /6 <sup>d</sup>                 |

<sup>1</sup> See footnote at page 472.

|  |                                 |
|--|---------------------------------|
| Item to the Layme Souldyers, 10 May, 1595, by the Cheffe Constabell warrant                              | 21 <sup>s</sup> /8 <sup>d</sup> |
| Item to Richard Mawe for lieinge downe stones in the churche   | 2/4                             |
| Item to Thomas for helping him for thre daies & a halff  | /21 <sup>d</sup>                |
| Item to him for one daie for helping to rayse the bells  | 6 <sup>d</sup>                  |
| Item for one loake to the littill cubbord in the ille  | /4 <sup>d</sup>                 |
| Item for a newe scuttell   | /3 <sup>d</sup>                 |
| Item to Sir James for a sitacion for daniell billbrough  | 2.4                             |
| Item to William Petche for servinge it   | /4 <sup>d</sup>                 |
| Item for makeinge the vesment for the pulpitt when my lord bishop Durham was heare <sup>1</sup>          | 2.-                             |
| Item paid to Lawrence Harresone for wyne from Whitsontyid untill October for comunions                   | 22/8                            |
| Item to James Wreay for bread  | /5 <sup>d</sup>                 |
| Item to Frauncis Masone  | /7 <sup>d</sup>                 |
| Item to John hawlle, clarke, y <sup>t</sup> he had laid downe for bread                                  | 3 <sup>d</sup>                  |
| Item to John Petch for Irone barres for the churche  | 44 <sup>s</sup> /               |
| Item to him for one locke for the northe ille dowre  | 4 <sup>d</sup>                  |
| Item to Sethe Watstone, 21 July, 1595, for mending the sowthe ille dowre                                 | /16 <sup>d</sup>                |
| Item paid at Yorke for a quenes licens for our clarkes for the surplasse y <sup>t</sup> was gonne        | 22 <sup>d</sup>                 |
| Item for draweing a bill against them  | /12 <sup>d</sup>                |
| Item to Tho: Taller, the glassier, for 12 pounce of sowther for the churche at /8 <sup>d</sup> a pound   | 8 <sup>s</sup> /                |
| Item to him the sayme tyme in part of his waidge   | /12 <sup>d</sup>                |
| Item to him for wood y <sup>t</sup> he <i>occupied</i> to bourne   | /4 <sup>d</sup>                 |
| It. for peats  | /3 <sup>d</sup>                 |
| Item to him for five daies worke & meat & drinke   | 5 <sup>s</sup> /                |
| Item to him for sex pounce of lead   | /6 <sup>d</sup>                 |
| Item to W <sup>m</sup> Stonner for sex daies for serving him & meat and drinke at /6 <sup>d</sup> a daie | 3 <sup>s</sup> /                |
| Item to Richard Mawe for 2 daies worke   | 12 <sup>d</sup>                 |
| Item to William Stonner for 2 daies worke  | /12 <sup>d</sup>                |
| Item for carridge from Selbe   | 4 <sup>d</sup>                  |
| Item to John Petch for two pair of Jointed irone bands for the northe ille dowre, & for mending it       | 3 <sup>s</sup> /                |
| Item for one bibell for the churche  | 20 <sup>s</sup> /               |
| Item to ould Turner for mending the beame  | /4 <sup>d</sup>                 |
| Item to Richard Mawe for lieinge downe stones in the church,   |                                 |
| 21 Oct., 1595  | /8 <sup>d</sup>                 |

<sup>1</sup> Dr. Toby Matthew, elected 25th March, 1595; buried at York 1628, aged 82.

|   |                                 |
|---|---------------------------------|
| Item to W <sup>m</sup> Stonner for helping him  | /6 <sup>d</sup>                 |
| Item for mendeinge the stalles in the quire   | /2 <sup>d</sup>                 |
| Item for one spaid for the bellman  | /10 <sup>d</sup>                |
| Item to Wareinge of Selbe, 30 Oct., 1595, for mendinge the cloke                                | 13 <sup>s</sup> /4 <sup>d</sup> |
| Item to Stonner for helping him fowre daies   | 2/                              |
| Item to Christyfer Harreson for mending the stalles in the quire                                | 8 <sup>d</sup>                  |
| Item to John Storme for his seane dais  | /18 <sup>d</sup>                |
| Item 7 Nov., 1595, paid ould Turner for fowre pulles for the bells                              | /16 <sup>d</sup>                |
| Item to Richard Harreson, churchwarden, for one seane daie                                      | /6 <sup>d</sup>                 |
| Item to Necollis Cottnes for one seane daie   | /6 <sup>d</sup>                 |
| Item to John Petche for halffe a year for kepinge the cloke and ringinge curfew                 | 10 <sup>s</sup> /               |
| Item to him for sex cotterills <sup>1</sup> for the bells                                       | /12 <sup>d</sup>                |
| Item to James Bradley for two seane daies   | /12 <sup>d</sup>                |
| Item to Steven Scorbroughe, wright, for his halffe yeare fee, dewe 17 Nov., 1595                | 10 <sup>s</sup> /-              |
| Item to him for mendeinge the bells, more than covenant   | 2 <sup>s</sup> /                |
| Item to Stonner for helping him   | /6 <sup>d</sup>                 |
| Item for grease to the bells  | /8 <sup>d</sup>                 |
| Item for fowre gallons of aill  | 2/4                             |
| Item for bread  | /7 <sup>d</sup>                 |
| Item to James Barden, cler., 17 Nov., 1595, for kepinge the cloke, dewe at Maie daie beffore    | 7/6                             |
| Item to the wringers y <sup>t</sup> staied all nyght  | /10 <sup>d</sup>                |
| Item to Jos. Kirkbe for nailles   | /2 <sup>d</sup>                 |
| Item to Stonner for thre dais for helpinge Steven Scorbroughe                                   | /18 <sup>d</sup>                |
| Item 23 Nov., 1595, for two quarts wyne for the communion                                       | 16 <sup>d</sup>                 |
| Item for bread  | /2 <sup>d</sup>                 |
| Item to Lowther wiff for keds <sup>2</sup> owinge beffore                                       | /6 <sup>d</sup>                 |
| to Stephen Scorbroughe for makeing thre frames for the bells                                    | 16 <sup>s</sup> /               |
| To William Evans for wood for them  | 9 <sup>s</sup> /                |
| Item for nailles to Peter sone  | 10 <sup>d</sup>                 |
| Item to Jo. Petche for great nailles  | 12 <sup>d</sup>                 |
| Item to Stonner for helpinge the wright for 6 Daies   | 3 <sup>s</sup> /                |
| Item to Lowther wyf, 17 Nov., 1595, for drinke (?)  | /4 <sup>d</sup>                 |
| Item to the glassier for two daies mendinge the church  | 2/-                             |
| Item to Stonner for helpinge him two dais   | /12 <sup>d</sup>                |
| Item to William Petche for somning hus churchwardens to appeare the 20 <sup>th</sup> Dec., 1595 | /4 <sup>d</sup>                 |

<sup>1</sup> Cotterills were the iron pins for fastening the bells.

<sup>2</sup> "Keds" or "kids" = faggots, firewood. Kids are still known as bundles of wood.



|  |                   |
|--|-------------------|
| Item to Elsabethe Cowke for washinge the surpase   | —                 |
| Item the 3 <sup>rd</sup> Dec., 1594, at Xpnes, 1 quarter   | /8 <sup>d</sup>   |
| Item the 23 <sup>rd</sup> Marche, 1595, 1 quarter  | /8 <sup>d</sup>   |
| Item at Midsomer, 1595, 1 quarter  | /8 <sup>d</sup>   |
| Item at Mighellis, 1595, 1 quarter   | /8 <sup>d</sup>   |
| Item at Xpnes, 1595, 1 quarter   | 8 <sup>d</sup>    |
| Item the 25 Marche, 1595, 1 quarter  | 8 <sup>d</sup>    |
| Item to Sir James Dalbe and M <sup>r</sup> Whitacars the 9 <sup>th</sup> January, 1595, for articles for hus churchwardens upone inquire for recusans <sup>1</sup> for the Lord arshbushop his — | —                 |
| Item for our Dyners y <sup>t</sup> daie  | 2/-               |
| Item to Richard Slater y <sup>t</sup> the towne did owe him upon his accompt, beinge Churchwarden  | 5/6               |
| Item at Yorke the 6 <sup>th</sup> Feb., 1595, for takinge out of a decree from the Comissioners touchinge the repaire of our chansell  | 7/4               |
| Item paid to M <sup>r</sup> Pearsons, preacher, the 23 <sup>rd</sup> Feb., 1595, by M <sup>r</sup> Mettam appoyntment to o <sup>r</sup> clarkes twoards the surplace y <sup>t</sup> was gonne    | 13 <sup>s</sup> / |
| Item to the plumer the 23 Feb., 1595, for thre pound souther <sup>2</sup> and for mending the lowe leeds   | 2/-               |
| Item to Stoner for helpinge him  | /6 <sup>d</sup>   |
| Item to the glassier for mendinge the glasse in the great wyndowe of the chancill by M <sup>r</sup> Mettam appoyntment   | —                 |
| Item to Stevenne Scarborough the 25 <sup>th</sup> Marche, 1595, for his halfe yeare fee, then dewe, for mending the bells  | 10 <sup>s</sup> / |
| Item to him for two daies more then his covenant   | /18 <sup>d</sup>  |
| Item to W <sup>m</sup> Stoner for helping him  | /6 <sup>d</sup>   |
| Item to M <sup>r</sup> Pearsons, preacher, for 1 service book  | 4 <sup>s</sup> /  |
| Item to Lawrence Harressone, the 7 <sup>th</sup> Aprill, 1596, for wyne, dewe the 17 <sup>o</sup> Nov <sup>r</sup> , 1595  | 21 <sup>s</sup> / |

Receats of John Watkinson, churchwarden, A<sup>o</sup> Dom. 1596, for burials in the church and for ringinge the greate bell.

|   |                  |
|---|------------------|
| Imprimis of uxor Sonman for hir husband buryall in the churche & for the bell ringinge      | 2 <sup>s</sup> / |
| Item of Uxor Mayson for the bell ringinge for her husband John Mayson                       | /12 <sup>d</sup> |
| Item of William Barker for the bell ringinge for Grace Mydelwood, wife of Richard Mydelwood | /12 <sup>d</sup> |

<sup>1</sup> Recusants. The question whether the Visitation. For the *Articles* see there were any persons in the parish not attending church was the first asked at *Yorkshire Archaeological Journal*, xvi., 208.

<sup>2</sup> Souther=solder.

|   |                   |
|---|-------------------|
| Item of John Smythe for his wyfe and his childe buryalls in the churche                               | 5 <sup>s</sup> /- |
| Item of John Thominson for the bell ringinge for one John Collinson                                   | /12 <sup>d</sup>  |
| Item of Lawrence Herrison for the bell ringinge for Elizabeth Mayson, dau <sup>r</sup> of John Mayson | /12 <sup>d</sup>  |
| Item of William Barber for William Herrison buriall in the churche                                    | 3 <sup>s</sup> /  |
| Item of Uxor Bowes for the bell ringinge for her husband  | /12 <sup>d</sup>  |
| Item of Peter Dowson for the bell ringinge for his sonne  | /12 <sup>d</sup>  |
| Item of Nycholas Arlushe for Robart Awdus buriall in the churche & for the bell ringinge              | 4/4               |
| Item of the said Nycholas Arlushe for his wyfe buriall in the churche & for the bell ringinge         | 4/4               |
| Item of Mr Consett for his sonne buryall in the churche & for the bell ringinge                       | 4/4               |
| Item of Thomas Frankland for the bell ringinge for his brother John Frankland                         | /12 <sup>d</sup>  |
| Item for the buriall of Mr Bradley child in the churche and for the bell ringinge                     | 2/5               |

Disbursements mayd by John Watkinson, churchwarden,  
A<sup>o</sup> Dom. 1596.

|   |                                 |
|---|---------------------------------|
| Imprimis to John Lowther thelder, twoo stone and fower pounds of lead   | 2 <sup>s</sup> /8 <sup>d</sup>  |
| Item geven to 2 poore men the 23 <sup>o</sup> of Maye   | /6 <sup>d</sup>                 |
| Item to Edward Johnson for 4 stone of lead  | 5 <sup>s</sup> /-               |
| Item to Rychard Ustye for 2 hundred of peatts and carringe them to the storehouse   | /12 <sup>d</sup>                |
| Item to William Marshall for maykinge ij trissolls & wood for the same  | /8 <sup>d</sup>                 |
| Item paid to Myles Graye 27 Maye for this yeaes fee, dew at Midsomer next cominge   | 13 <sup>s</sup> /4 <sup>d</sup> |
| Item to William Stayner for 3 dayes worke for helpinge the glasier to remove stones   | /18 <sup>d</sup>                |
| Item to Rychard Carye for 2 secks of lyme   | /18 <sup>d</sup>                |
| Item for fetchinge the said lyme at Howden dicke  | /2 <sup>d</sup>                 |
| Item to Robart Thornton for iron bares  | 6 <sup>s</sup> /6 <sup>d</sup>  |
| Item to John Petche for iron bares  | 2/-                             |
| Item for alle bestowed of the glasier & others  | /12 <sup>d</sup>                |
| Item for the ministers and the churchwardens chardges at Beverley, at my lords grace visitation, the 4 <sup>o</sup> of June | 13 <sup>s</sup> /               |

|  |                               |
|--|-------------------------------|
| Item paid to Myles Graye in the presence of Mr Pearson,<br>Mr Consett, & others, the 11 <sup>o</sup> of June, for glasinng and<br>lyminge the windowes in Mr Metham greave, <sup>1</sup> & one greave<br>in the northe sid of the church, in full satisfaction and<br>payment for repayringe the said windowes for this yeare,<br>& for all yeares past before the date hereof | —                             |
| Item to John Petcher for mendinge the poore man's boxe   | /22 <sup>d</sup>              |
| Item to Thomas Garnet for settinge the said poor man's boxe  | /2 <sup>d</sup>               |
| Item to Richard Freman for mendinge the churchyard wall<br>& mendinge the stoorehouse windowes with lyme & stone   | /10 <sup>d</sup>              |
| Item to Thomas Garnet for dressinge the stoorehouse  | /3 <sup>d</sup>               |
| Item for mendinge the stoorehouse door & for wood & nayles<br>to the same  | /3 <sup>d</sup>               |
| Item paid to Elizabeth Mawe for washing the surplace & the<br>tableclothe for mydsomer quarter   | /8 <sup>d</sup>               |
| Item for lyinge downe stones in the church   | /8 <sup>d</sup>               |
| Item geven to 3 poore men that was licensed, to evrye of<br>them 4 <sup>d</sup>  | /12 <sup>d</sup>              |
| Item geven to a poore man, John Kent, 11 <sup>o</sup> July, lycensed by<br>my L. grace and the Counsell  | /12 <sup>d</sup>              |
| Item geven to a poore man, George Browne, proctor for the<br>hospitall of St. Ketherine in Yorke, 18 <sup>o</sup> of Julye   | /8 <sup>d</sup>               |
| Item paid to Nycholas Olfeild for one hundred of tenpennye<br>nayles & one hundred of sixpennye nayles for naylinge<br>downe lead & sarking bords <sup>2</sup> on the roufe of the church  | /16 <sup>d</sup>              |
| Item for one lood of sand  | /4 <sup>d</sup>               |
| Item geven to a poore mā Tho: Browne, the 8 <sup>o</sup> August, lycensed<br>by the bushope of Durame  | /8 <sup>d</sup>               |
| Item to Reginald Tood for 2 hundred of peatts for the plumer   | /10 <sup>d</sup>              |
| Item to John Hall for wood   | /12 <sup>d</sup>              |
| Item for sarkinge bords  | /20 <sup>d</sup>              |
| Item paid to Thomas Taylor, plumer, for 15 dayes worke   | 15 <sup>s</sup>               |
| Item for 45 pound of sowther   | 30 <sup>s</sup>               |
| Item to Thomas Garnet for 15 dayes worke servinge the<br>plumer, at the raite of sixpence a daye to meate & wadge  | 7 <sup>s</sup> 6 <sup>d</sup> |
| Item for 2 sacks of lyme bought at Selbye  | /16 <sup>d</sup>              |
| Item for carredge from Selbye to Hoveden   | /4 <sup>d</sup>               |
| Item paid to Rychard Freman, tyler, for one dayes worke and<br>one halfe /12 <sup>d</sup> . His twoo men 2 dayes worke 2 <sup>s</sup> / for<br>pointinge and repayringe about the church   | 3 <sup>s</sup> /              |

<sup>1</sup> "greave" = grave or vault beneath the Metham chapel, now the burial place of the Saltmarshe family. Mr. Metham's altar is mentioned on page 468.

<sup>2</sup> The sarking boards were the covering of wood above the rafters, immediately under the slates or lead.

|   |                    |
|---|--------------------|
| Item for one yard & one halfe of tufted secclithe for bottominge<br>one velvitt quishinge   | /17 <sup>d</sup>   |
| Item for one yard & one halfe of secclithe for lyninge the<br>said quishinge  | /12 <sup>d</sup>   |
| Item for halfe one ounce of Watchet <sup>1</sup> silke  | /15 <sup>d</sup>   |
| Item for halfe one stone of fethers for the same quishinge  | /20 <sup>d</sup>   |
| Ite. for wax & rosell <sup>2</sup>  | /3 <sup>d</sup>    |
| Item for maykinge the said quishinge  | /8 <sup>d</sup>    |
| It. geven to a poore man, William Hotcheson, the 26 <sup>o</sup> Sept.  | /12 <sup>d</sup>   |
| Item paid to John Hall, clarke, for this halfe yeres fee, dewe<br>at Mychaellmas instant, for keepinge the clocke, ringinge<br>eight aclocke, & dressinge the leads | 10 <sup>s</sup> /  |
| Item to Elizabethe Mawe for washinge the surplace & the<br>tableclothe for Mychaellmas qt <sup>r</sup>  | /8 <sup>d</sup>    |
| Item to a poore man, Oswald Metcalfe, y <sup>e</sup> 10 <sup>o</sup> Oct <sup>r</sup> , lycensed<br>by my Lord Grace & the Counsell                                 | /8 <sup>d</sup>    |
| It. to William Bowes wife for 2 pounds of candells  | /8 <sup>d</sup>    |
| It. for greace & tallowe for the bells on cronation day   | /8 <sup>d</sup>    |
| Item paid to 5 ringers that gyded the bells on cronation day  | /20 <sup>d</sup>   |
| It. to John Petche for mendinge 2 belltiers & maikinge 3<br>boulstors & 4 cottrells & mendinge 3 cottrells  | —                  |
| Item for alle bestowed on workmen   | /2 <sup>d</sup>    |
| Item paid to Steven Scorbroughe for his halfe yeres fee, dew<br>17 <sup>o</sup> November, 1596  | 10 <sup>s</sup> /— |
| Item to the said Steven for his day waidge when he came, &<br>his day waig when he went home  | 2 <sup>s</sup> /   |
| Item geven to the said Steven Scorbroufe besides his waiges<br>upon his good behaviour & his present mood   | —                  |
| Item to Thomas Garnett for helpin him about the bells for<br>one day worke  | —                  |
| Item to Richard Mawe for lyinge downe stones in the churche<br>20 Nov.  | —                  |
| Item paid to Lawrence Herrison wife for wyne 21 November  | —                  |
| Item to Xpofer Ashe for 3 pints of wyne   | —                  |
| Item paid to Steven Scorbroughe as part & parcell of the<br>fee dew 22 <sup>o</sup> Marche next   | —                  |
| Item to Francis Mayson for bread  | /20 <sup>d</sup>   |
| Item for one secke of lyme & bringinge to Howden the<br>23 <sup>o</sup> of November   | /10 <sup>d</sup>   |
| Item paid to Mr Fothergill for articles for us churchwardens  | /20 <sup>d</sup>   |

<sup>1</sup> "Watchet" = pale blue.

<sup>2</sup> "rosell" = rosin or resin, still sometimes pronounced rosell in  
East Yorkshire.

|   |                               |
|---|-------------------------------|
| Item allowed to 16 churchwardens for ther twoo seinge dayes,<br>evrye of them, 12 <sup>d</sup>  | 16 <sup>s</sup> /             |
| Item paid to John Flood, plumer, for sowther  | 4 <sup>s</sup> 8 <sup>d</sup> |
| Item to the said John Flood for lead  | 2/2                           |
| Item to him for workmanshipe, mendinge the lowe leads   | 3/4                           |
| Item to Thomas Garnett for helpinge him   | /14 <sup>d</sup>              |
| Item paid to Elizabethe Mawe for washinge the surplace &<br>the table clothe for one quarter, dewe the 23 <sup>o</sup> of December  | /8 <sup>d</sup>               |
| Item to Richard Mawe for mendinge the churchyard wall   | 14 <sup>d</sup>               |
| Item geven to a poore man, William Johnson, proctor for the<br>hospitall of St. Hellin in Yorke, the 20 <sup>o</sup> of Februarye   | 12 <sup>d</sup>               |
| Item geven to a poore blynd man, Rychard Morrell of Weighton,<br>lycensed, the 6 <sup>o</sup> of Marche   | /12 <sup>d</sup>              |
| Item to Elizabethe Mawe for washinge the surplace & the<br>tableclothe for this quarter, dew y <sup>e</sup> 25 <sup>o</sup> of March, 1597                                    | 8 <sup>d</sup>                |
| Item paid to Steven Scorbroughe as the last partte, in full<br>satisfaction and payment for his halfe yeres fee, dew the<br>25 <sup>o</sup> of Marche, 1597                   | 3 <sup>s</sup>                |
| Item geven to a poore man, William Cherrye  | /3 <sup>d</sup>               |
| Item geven to a poore woman, lycensed, 25 Marche  | 3 <sup>d</sup>                |
| Item paid to John Hall wife the halfe yeres fee dew to her<br>husband, deceased, for keepinge the clocke, ringing eight<br>aclocke & dressinge the leads, dew 25 Marche, 1597 | 10 <sup>s</sup> /-            |
| Item paid to Steven Scorbroughe, 1 <sup>o</sup> Aprill, as part & parcell<br>of his next halfe yeres fee  | /12 <sup>d</sup>              |
| Item to John Petche for mendinge fyve bell tyers & maykinge<br>bowstors & cottrills   | /8 <sup>d</sup>               |
| Item to Nycholas Olfeild for halfe one hundred of sixpenny<br>nayles for the bells  | /3 <sup>d</sup>               |
| Item geven to twoo poore men, one W <sup>m</sup> Mayvell & Robert<br>Freer, 3 aprill, w <sup>ch</sup> had my Lord grace & the counsell's<br>lycense                           | /12 <sup>d</sup>              |
| Item paid to Xpofer Harfourd, heighe counstable, 1 aprill, 1597,<br>for layme souldiers   | 21/8                          |
| Item to Richard Mawe for mendinge the churchyard wall, &<br>pointinge & mendinge about the churche, and for breeke<br>for the same, 11 April                                  | /16 <sup>d</sup>              |
| Item for paper  | /1 <sup>d</sup>               |

Disbursements by Laurence Harrison as followith, 1597-8.

|   |                |
|---|----------------|
| Imp <sup>ms</sup> to one upon a breife            | 3/4            |
| Item for a copie of artickles upon the seane daye | 6 <sup>d</sup> |

|  |                                |
|--|--------------------------------|
| Item to a poore man, licensed frome my lord grace & the counsell, & on woman lycensed by Mr Gatt <sup>1</sup> & others                             | 9 <sup>d</sup>                 |
| Item to Myles Graie f <sup>r</sup> his yere for 1597, dew at S <sup>t</sup> John Baptist   | 13 <sup>s</sup> /              |
| Item for leade to glassen the wyndowes withall   | —                              |
| Item for wodd  | 2 <sup>s</sup> /               |
| Item for lyminge of the wyndows  | 6 <sup>s</sup> /               |
| Item for lyme, one sacke   | —                              |
| Item for ij dossen & a halfe of newe iron barrs to the wynddowes   | —                              |
| Item to Thomas Garnet for iiij days worke, in helpinge of hym  | —                              |
| Item payde the 12 May, 1597, to one havinge a lisenche under Her Maties <sup>es</sup> broade seale for the hospitall of Skirbecke, in Lincolnshyre | —                              |
| Item to one other that hadd a lysence  | 6 <sup>d</sup>                 |
| Item paid on the 24 June to one havinge the Quens brode seale  | 8 <sup>d</sup>                 |
| Item to an other, 25 June, havinge my Lords Graces lysence   | 6 <sup>d</sup>                 |
| Item to Thomas Rea for his dyner the first seane daye  | 12 <sup>d</sup>                |
| Item to Mathew Ellis, the same daye  | —                              |
| Item paid to Mr Peareson a quarters stipend, allowed by the agrement of the parishioners   | —                              |
| Item paid to one havinge the quen's Brode Seale, 24 <sup>th</sup> August   | —                              |
| Item paid to Robert Yonge for his dyner the first seane day  | —                              |
| Item to John Petcher for mending the bells   | —                              |
| Item paid to Mr Peareson, precher, accordinge to the agrement  | 8 <sup>s</sup> /4 <sup>d</sup> |
| Item paid Mr Lawtye chargh, whenas he preched  | 3/4                            |
| Item paid Mr Wadsworth chargh, whenas he preched   | 4/-                            |
| Item to John Raibie his dyner first seane day  | /12 <sup>d</sup>               |
| It. p <sup>d</sup> Law. Herryson dyner the first seane day   | /12 <sup>d</sup>               |
| Item to Tho. Storme for his dyner the seane daie   | 12 <sup>d</sup>                |
| Item payed for Mr Conset & Edwad Peareson & others for the sollicitinge the suyte for the chancell   | £8                             |
| Itm. to John Petcher for his lawbour about the bells & one iron stay & stapples for the great Bell whele   | 2/6                            |
| It. to that that gwydyd the bells on the coronation day <sup>2</sup> and for rynginge of the same, before the countraye dyd come Inn               | 9 <sup>s</sup> /8 <sup>d</sup> |

<sup>1</sup> Mr. Gatt = John Gait, Gate or Gates of Howden, younger son of Sir Henry Gates of Semer, M.P. for Yorkshire and Chancellor of the Duchy of Lancaster. Rebus = a five-barred gate. John was buried at Howden in 1607, leaving by

his wife Isabel Bone, whom he married in 1572: Henry, John baptised 1581; Edward baptised 1582; and Mary, who married — Vavasour.

<sup>2</sup> Queen Elizabeth was crowned 15th January, 1559.

|  |                   |
|--|-------------------|
| Item for bread & wyne on the coronation day & two commūon dayes before   | £4                |
| Item wyne that was bestowed upon Mr Ferrmyry whenas he preched   | /12 <sup>d</sup>  |
| Item John Iaxons half yeres wages for kepinge the clocke   | 10 <sup>s</sup> / |
| Item to Tho. Graibarne the first seane daye  | /6 <sup>d</sup>   |
| Item to Tho. Geare for the like  | /6 <sup>d</sup>   |
| Item for washinge to Elizabeth Cooke   | 2/8               |
| Item for Tallow to the bells   | /10 <sup>d</sup>  |
| Item for amending one of the surclosse <sup>1</sup>  | /8 <sup>d</sup>   |
| Item for a comunon booke   | 4/6               |
| Item for nales about the bells used  | 2 <sup>d</sup>    |
| Item to one havinge the quens brode Seale to collect for the hospitall nighe Beverley                                  | —                 |
| Item to a poore man, havinge my Lord grace licence & others  | —                 |
| Item to one havinge the Quenes brode seale for a hospitall in Yorke  | 6 <sup>d</sup>    |
| Item disbursed to one John Bell, a travelor  | /6 <sup>d</sup>   |
| Item one quart of wyne, bestowed on Mr Seale, whenas he preached   | /8 <sup>d</sup>   |
| Item laide downe for the comissioners dyners & other charges whenas they cam to take the answere of Mr Metham & others | 35 <sup>s</sup> / |
| Item Robt. Yonge payd for an other seane day his dyner   | —                 |
| Item paid to Mr Machell for the sollicitinge of the suyte the some of £6   | —                 |
| Item paid to Elizabeth Cooke for washinge  | —                 |
| Item paid to Tho: Busbie for kepinge y <sup>e</sup> clocke   | —                 |
| Item to Stevene Scorbroughe for parcell of his stypend   | —                 |
| Item to John Langer for his dyners   | 12 <sup>d</sup>   |
| Item to Gyles Tomplinge for his dyners   | 12 <sup>d</sup>   |
| Item to Robert Johnson for his dyners  | 12 <sup>d</sup>   |
| Item to Tho: Geare for his dyners  | 12 <sup>d</sup>   |
| Item to Robt. Thorneton for his dyners   | 12 <sup>d</sup>   |
| Item to Thomas Grayburne for his dyners  | 12 <sup>d</sup>   |
| Item to Francys Penynngton for his dyners  | 12 <sup>d</sup>   |
| It. to 3 poore men appointed by Sir James to have releife  | —                 |
| Item paid to Xpofer Hartforde, to be paid about the Laime Soliers  | —.                |
| Item paid to Tho. Busbie for to <sup>w</sup> days servinge the plumer  | —                 |

<sup>1</sup> Surclosse = cereclothes, the waxed linen garments used to cover the dead. It would appear that the churchwardens

kept not only a parish coffin for the burials of the poor, but also cereclothes,

|  |                                 |
|--|---------------------------------|
| Item to Bullie Shawe for ij dayes                  | —                               |
| Item to John Foster for his dyners                 | 12 <sup>d</sup>                 |
| It. for xvij <sup>li</sup> 3 quarterns of sowder   | 14 <sup>s</sup> /8 <sup>d</sup> |
| It. for 10 lbs. of pewder & one quarter for sowder | 5 <sup>s</sup> /                |
| Item to a poore woman                              | 6 <sup>d</sup>                  |
| Item payd by Thomas Smyth to ij poore woman        | 2 <sup>s</sup> /                |
| Item the said Thomas for his dyners                | 12 <sup>s</sup> /               |

Summa totallis 33<sup>li</sup> 17<sup>s</sup> 10<sup>d</sup>.

|  |                   |
|--|-------------------|
| There reymaynethe as yet uncollected M <sup>r</sup> Metham of Barnhill<br>& the townshyp of Knedlyngton  | 10 <sup>s</sup> / |
| M <sup>r</sup> Metham of Metham all behind, which cometh to a 22 <sup>s</sup> /6 <sup>d</sup> , but<br>I do thinke he gave M <sup>r</sup> Peareson the precher that or more. |                   |

Disbursed this yere for the parishe of Hoveden,

(*inter alia*) Anno Domini 1598.

|   |                    |
|---|--------------------|
| Paid to Jo. Marshall for mending y <sup>e</sup> beare   | /10 <sup>d</sup>   |
| Paid for a regester in parchment  | 17 <sup>s</sup> /— |
| Given Marmaduk Machell by Raife Atkinson towards the<br>following the sewte against Sir James Telfers (?) | —                  |

1599.

|  |                   |
|--|-------------------|
| Payed to Thomas Busby for his wages, for kepinge the clock<br>& ringinge 8 aclock bell                               | 10 <sup>s</sup> / |
| Item for two stees <sup>1</sup> to the churche   | 6/8               |
| Item payed to M <sup>r</sup> Hidgdon, by the appointment of M <sup>r</sup> Machell,<br>for the suite of the chancell | 40 <sup>s</sup> / |
| Item paid to M <sup>r</sup> Machell & Edward Persen, 20 Mae laste, of<br>the monie that was in myn hand              | £5 : 10           |

1600.

|   |                  |
|---|------------------|
| Imprimis paide at the vicitacone for our articles, the receiving<br>of our bill into courte, swearinge and chardges of twelve<br>churchwardens with their horsses, beinge an extreame<br>ranye daie | —                |
| Item paide to George Steddye of Yorke, whane he came over<br>to Howden to see our organes, for his paines   | 5 <sup>s</sup> / |
| Item geven to Herculles, duke Kettlewell mane, lyinge sicke,<br>to two womene to dresse him   | 2/6              |
| Item paid to a poure manne and his childe, that came frome<br>Londone, and so to Ripppane, with his licence   | /4 <sup>d</sup>  |
| Item paide to M <sup>r</sup> Higdone, for the releisse of the layme<br>souldyers, as by his acquittance doth appeare  | £2 : 3 : 4       |

<sup>1</sup> Stee=ladder,



|  |                   |
|--|-------------------|
| Item paide to Thomas Bushbee, for kepinge of the clocke<br>and ringinge of curfour for one holle yeare                                     | 20 <sup>s</sup> / |
| Item paide to Will <sup>m</sup> Marshall, for mendynge the founte and<br>the letterone   | 2/6               |
| Item paid to Richard Mawe, for mending the churche steille<br>& for one seck of lyme   | 2/-               |
| Item paid to John Turner, for makeinge a ledge of wood for<br>the clocke and for mendynge M <sup>r</sup> Mettam's alter                    | —                 |
| It <sup>m</sup> paid to Gregorye Rainfowrth of Barmbie, for his charges<br>beinge beffore the comissioners at Eskrick                      | /16 <sup>d</sup>  |
| Item paid to a powre boie, that was Will <sup>m</sup> Barker apprentice,<br>havinge M <sup>r</sup> Gaite's licence to passe to his freinds | 2 <sup>s</sup> /  |
| Item paid to Edward Stevene, for his chardges at Eskrick and<br>for his bill writinge  | /14 <sup>d</sup>  |
| Item paid for Bickeringe apparell when he was putt to<br>M <sup>r</sup> Machill servisse —   |                   |
| one yeard and a halfe of grene kendall for his breatches   | 2 <sup>s</sup> /  |
| Thre yeards of seck cloth for his dublitt, buttons & thread  | 2/6               |
| Two yeards and a halfe of bleacht femell for lyninge his<br>dublitt and hosse  | /20 <sup>d</sup>  |
| Coursse canvasse for his doublitt  | /4 <sup>d</sup>   |
| one paire of stockinges  | /16 <sup>d</sup>  |
| one paire of showes  | /16 <sup>d</sup>  |
| one hatt   | /16 <sup>d</sup>  |
| Two yeards of femell clothe for his shirt  | /16 <sup>d</sup>  |
| makeinge of it   | /3 <sup>d</sup>   |
| one shirt band   | /4 <sup>d</sup>   |
| for makeinge his apparell  | /16 <sup>d</sup>  |
| Item paid at Eskricke in chardges in all, beinge before the<br>Justices for the churchwardens of Howden                                    | 8 <sup>s</sup> /  |
| Item paid more to John Turner, for makeinge a deske in the<br>quere  | 2/2               |
| Item paid more to Sir James Dalbye for lead  | /16 <sup>d</sup>  |
| Item paid more to the reader of Laxtone, <sup>1</sup> for writinge the<br>articles and presentments  | /6 <sup>d</sup>   |

1601.

Disbursed in sute for these somes above written.

|   |                  |
|---|------------------|
| Item paid to M <sup>r</sup> Gackson for his counsell to ley our bill into<br>the Courte | 5 <sup>s</sup> / |
| Item paid to his man for drawing & copying our bill of<br>complaint                     | 3/2              |

<sup>1</sup> There is a chapel at Laxton within the parish of Howden. Readers were licenced preachers who appear in Queen Elizabeth's reign.

HOWDEN CHURCHWARDENS' ACCOUNTS.

469

|   |                   |
|---|-------------------|
| Item paid for two leaves, one beinge lost   | 3/6               |
| Item paid for a petition to the Lord President & Counsell, to<br>gitt our bill allowed in the court | /18 <sup>d</sup>  |
| Paid to M <sup>r</sup> Bradley, for attorney fees   | 2/                |
| Item the charge of the churchwardens & their horses   | 11 <sup>s</sup> / |
| Item paid for swearinge upon the letter   | /8 <sup>d</sup>   |
| Item paid for the tatchment   | 4/4               |
| Item the charge of one churchwarden, the same time at Yorke   | 2/2               |
| Item paid for the proclamation  | 4 8               |
| Item the charge of one churchwarden, the same time at Yorke   | 2/                |

1601-2.

|   |                                       |
|---|---------------------------------------|
| Item paid to a poore man havinge my lord of Durram lisen  | /6 <sup>d</sup>                       |
| Item paid to the churchwardens for the sean daies   | /16                                   |
| Item the charges of the churchwardens, when they went with<br>Barron Savill warrant to collect money  | 2 <sup>s</sup> /4                     |
| Item paid to M <sup>r</sup> Watkinson for the discharge of all the church-<br>wardens of Howden parishe, for nott appearinge at the<br>assises, the 17 day of August, accordinge to our tatchment,<br>derected to the baylife of Howden from my Lord P'sident<br>& counsell, as his acquittance appeareth | 42 <sup>s</sup> /<br>/12 <sup>d</sup> |
| Item in wine to M <sup>r</sup> Watkinsen the same time  | 12/6                                  |
| Item the charge of fowor churchwardens at the same sises  | 12/6                                  |
| Item paid for sowther to the leades, 13 August, being an<br>extreame hotte sunny daye   | /18 <sup>d</sup>                      |
| Item paid to Nicholas Ouldfeld, the same day, for leade nales<br>to the churche   | /10 <sup>d</sup>                      |
| Item paid to Thomas Tailor, the balif, for arreasting fowour<br>churchwardens with a tatchment from my Lord President   | —                                     |
| Item paid to Robert Thorpe for thre bordes to M <sup>r</sup> Metham<br>auther   | 2 <sup>s</sup> /                      |
| Item paid to a poore man, having my lord of Durram lisen<br>to travill to London  | /8 <sup>d</sup>                       |
| Item paid to M <sup>r</sup> Martom for chiming the belles the secounde<br>of October  | 3/4                                   |
| Item paid to M <sup>r</sup> Fothegaile, the fite October, for the articles<br>& other charges, beinge the chapter day   | 3/2                                   |
| Item paid the same day to the minister of Laxton for writinge<br>the presentments   | /6 <sup>d</sup>                       |
| Item paid to M <sup>r</sup> Higdon for hopitalls & lame soulders, as his<br>acquittance appeareth   | £2 : 3 : 4                            |
| Item paid to a lame woman havinge lisen from M <sup>r</sup> Wortley<br>& other Justices in the West Riding  | /8 <sup>d</sup>                       |

|   |                  |
|---|------------------|
| Item paid to John Peché for mendinge a greate shackle & a great bar of the fourth bell & a goodgin of the ladye bell & a shackle of the fore bell             | 2/10             |
| Item paid to poore man having lisençe from M <sup>r</sup> Clifforth to travill into Craven  | —                |
| Paid for Candles for ringinge of Courfer at Christemes  | /2 <sup>d</sup>  |
| Item paid to John Turner for mendinge the hye stawles in the quear  | /18 <sup>d</sup> |
| Item paid to Bullishawe for going to all the Churchwardens of the parishe with M <sup>r</sup> Metham & M <sup>r</sup> Gaites letter for halfe a sesment       | /6 <sup>d</sup>  |
| Item to Thomas Taler, the glasier, for mending the scholhouse windowes with Glase   | 2 <sup>s</sup> / |
| Item paid to Laurence Herison wife, 1 <sup>st</sup> Feb., beinge the comission day for Sir James, Mr. Dalby & the churchwardens of the towne & parish charges | 8 <sup>s</sup> / |
| Item paid for removinge the staweles in the queare & the poorlpit, & for mendinge the broken stawes   | 2/3              |
| Item paid to Renald Thorpe for a stowpe to the church yeate   | /8 <sup>d</sup>  |

1602.

|  |                    |
|--|--------------------|
| Paid to M <sup>r</sup> Machell, that was dew to him upon his accompt made  | £11 : 1 : 8        |
| Item paid at the first Sceane day for the Articles writing & pay   | /21 <sup>d</sup>   |
| Item given to one Morton, a free mayson, for his paines for coming to see some woork, being sent by M <sup>r</sup> Beverley of Selbye  | /12 <sup>d</sup>   |
| Item paid to M <sup>r</sup> Machell for the use of M <sup>r</sup> Thomas Pocklington, for the bringing of the decree under seale out of the Checkquer, touching M <sup>rs</sup> Saundes suit | 40 <sup>s</sup> /- |
| Item paid to Robert Morris for a lock for the chest where the regester booke lyeth   | /18 <sup>d</sup>   |
| Item gave to a poore man that had his tong cutt out  | /12 <sup>d</sup>   |
| Item given to the ringers when the kinges Majestie was proclaimed  | 2 <sup>s</sup> /   |

Att Houlden 25 August, 1625.

Forasmuch as uppon hearing & examinacon of the accompts of the Churchwardens of Houlden by us Thomas Metham, knight, Phillip Monckton, knight, Nicholas Girlington, esquier, Laurence Wharton, gent., M<sup>r</sup> Lawtie, clarke, & other the most substantiall inhabitants of the same parish, Itt appeareth that the former assessments gathered & collected for & towards the repaire of the said

parish church weare disbursed other wayes than uppon the repaire of the said church, Itt is agreed uppon and soe ordered that there shalbee forthwith a whole assesm<sup>t</sup> collected and payed into the handes of John Donne and Michael Musgrave, drapers and inhabitants of the towne of Houlden, and the said Assesment by them to bee only employed for the putting in repaire the same church and to noe other uses whatsoever, and that the monies nowe remayning in the handes of the oulde Churchwardens, . . . . shall be delivered upp into the handes of the new churchwardens for the use afore-said.

|   | 1637. | £ | s. | d. |
|---|-------|---|----|----|
| Paid to Peter Norman for catching of 45 old dawes   |       | 0 | 0  | 8  |
| It. to Peter Norman for 20 dawes more   |       | 0 | 0  | 4  |
| Item paid to Willi. Ward for mending of the eight aclocke Bell  |       | 0 | 0  | 8  |
| Item given to Marie Whittingtonn allowed by Sir Phillipp Monckton   |       | 0 | 1  | 0  |
| Item allowed by M <sup>r</sup> Dallbie to Will. Marshall for Carrieing of the order governing the uniformitie of the Stalles to Mettham, and allso thoorow the parish |       | 0 | 1  | 0  |

|  | 1639. | £  | s. | d. |
|--|-------|----|----|----|
| Imprimis for lead for the topp of the church steple  |       | 19 | 16 | 0  |
| Item to M <sup>r</sup> Harrisen for mending off the organs   |       | 18 | 0  | 0  |
| Item to Tho: Waude off Salebee for 52 plankes for bordening off the lower chamber in the steple  |       | 4  | 18 | 8  |
| Item to George Coverdale for makeing of the organ  |       | 10 | 0  | 6  |
| It <sup>m</sup> to Ruthvine Braffitt and Ro. Breareslay for casting and lieing the lead on the topp of the church steple   |       | 5  | 5  | 0  |
| Item to Raph Robesonn for paynting of the organs   |       | 6  | 2  | 6  |
| Item paid to George Coverdale for lieing of the Roofe of the Church Steple with four deales, and for lieing of the Lower Chamber in the Church Steple & for his men helping for to dress up lead |       | 2  | 14 | 0  |
| Item paid to Richard Pallmer for fur deales and nales for the church   |       | 4  | 3  | 4  |
| Item for wine at communions  |       | 4  | 0  | 0  |
| Item to two free masones for mending of the church wall  |       | 0  | 15 | 0  |
| Item paid to M <sup>r</sup> Lawtie for writing the register of christninges and burialles  |       | 0  | 5  | 0  |

An Accounte given by the churchwardens of Howden for the years 1640 to 1645, John Ouldfeild, John Gathorne, Edward Wilson and George Robinson before Master Phillipp Saltmarsh, and Master Tomlyn, and others.

|   | £  | s. | d. |
|---|----|----|----|
| To Will <sup>m</sup> Hooppur & Ephraim Stead, masons, for lying the stones between the north church doore and the south doore | 33 | 10 | 3  |
| For Master Johnson, Master Aclayes diner upon the seing daies <sup>1</sup>  | 0  | 2  | 0  |
| For 16 Churchwardens diners the seing day   | 0  | 8  | 0  |
| To James Parkin & Obediah Thorpe for putting the bells in frame against the ringing day                                       | 0  | 4  | 0  |
| For bread & drinke & candles the ringing day  | 0  | 4  | 0  |
| For mending the north church steele   | 0  | 1  | 0  |
| for fees the correccion day for swine geting into the church yard being presented   | 0  | 5  | 0  |
| given to one Master Wisdome, a preacher, with the consent of S <sup>r</sup> Phillipp Monckton                                 | 0  | 3  | 4  |
| For a paire of Gemers for the pue doore   | 0  | 1  | 0  |
| For bread & wine at severall communions   | 4  | 12 | 0  |
| To Master Lawtye for a coppie out of the regester   | 0  | 5  | 0  |
| For mending the Ladie bell wheele   | 0  | 4  | 0  |

October the last, A.D. 1648.

Wee, whose names are hereunder written, havinge vewed the decay of the church, doe thinke fitt that two whole assessments be forthwith gathered by the churchwardens throughout the whole parish, being parte of the sume required to be imposed upon the parish by warrant from the Justices for the repaire of the said church.

|                                    |                |                              |
|------------------------------------|----------------|------------------------------|
| Phil: Saltmarsh                    | J. Thomson     | Tho: Athropp                 |
| Michael Musgrave                   | Jo: Scott      | Ralph Higdon                 |
| John Dun                           | John Audas     | Richard Attmar               |
| Nicholas Abbott                    | Thomas Sutton  | James Wrote                  |
| George Cooke                       | John Bealbie   | Will <sup>m</sup> Williamson |
| Will <sup>m</sup> Casse of Barmbie | Robert Athropp | Robert Houward               |
| Tho: Arlush                        |                |                              |

1661-2.

|  | £ | s. | d. |
|--|---|----|----|
| Paid for the church bible binding & covering | 0 | 13 | 4  |
| Paid for carring it to Yorke & back againe   | 0 | 1  | 4  |

<sup>1</sup> The seane day or seing day occurs frequently throughout the record. These two entries look as though it had something to do with the Visitation, when

the condition of the church was inspected or seen. Another explanation is that they were Synod days.

|  |    |    |                  |
|--|----|----|------------------|
| Paid for oyle /1 <sup>d</sup> & paid to Tho. Thorneton sonne for a<br>fox head which was gotten in our parish  | o  | 1  | 1                |
| Paid to labourers for getting y <sup>e</sup> register chest out of y <sup>e</sup><br>chapter loft  | o  | 3  | 5                |
| Item paid to Robert Escricke for mending the great chest<br>and for 3 locks where the register lyes  | o  | 8  | 6                |
| Item paid to Thomas Okes for 4 yeards $\frac{1}{4}$ of canvis to<br>line y <sup>e</sup> chest  | o  | 3  | 2                |
| Disbursed by y <sup>e</sup> consent of Mathew Geere & Roger Newby<br>& Simon Musgrave to Julian Long, Mary Edgerton, &<br>Eliz. Trevillian who had 11 children with them, haveing<br>a breif with a certificate under y <sup>e</sup> hand & seal of y <sup>e</sup><br>duke of Yorke & y <sup>e</sup> Duke of Albemarle |    |    | 2 <sup>s</sup> / |
| Item disbursed by y <sup>e</sup> consent of M <sup>r</sup> Arlush, minister, Roger<br>Newby, Matthew Geere & others to Luke Blansherd<br>for y <sup>e</sup> Register parchment Booke   | o  | 6  | 8                |
| 1663.  | £  | s. | d.               |
| Paid for a fother of New Lead at Bawtrie   | 16 | 2  | o                |

## 1664-5.

Disbursements of Richard Young &amp; others Churchwardens.

|   |                                  |
|---|----------------------------------|
| To James Marshall for make a new frame to ye Communion<br>table & playneing the leafe & workmanship | 14 <sup>s</sup> /                |
| To Tho. Dowson Sonne & others for a fox head  | 1 <sup>s</sup> /                 |
| To James Marshall for a Common Coffin for y <sup>e</sup> towne &<br>parish                          | 12 <sup>s</sup> /10 <sup>d</sup> |
| Irone for y <sup>e</sup> Common Coffin  | 6/4                              |
| To the Clearkes for eight clocke Bell ringing & clocke<br>keepeing                                  | 1/10/-                           |

The Common Coffin marked R.Y. 1664, above-mentioned, is still to be seen in Howden Church, and is alluded to by Canon Fowler in vol. xvi., page 467, of this Journal.

The following is extracted from the Public Records of the Exchequer Special Commissions, and shows something of the lengthened litigation which ensued on the alienation of church property.

## 3 James I.

Ebor. Whereas the Courte was heretofore enformed by Sr John Jackson Knight of Councell With lawrence harrison John Higdon Nicholas Arlashe Thomas Haddlesey and Will<sup>m</sup> lawson that on Cicely Sandes hath commenced suite at the Co<sup>m</sup>on lawe against the psons above named Upon a bond of cc<sup>li</sup> Wherein they stand bound unto

her for the payment of the añuall rent of £118 yerely the fithe day of Aprill uppon the ffountstone in the Temple Church london for the tenement in hailegate in the Countye of York & one tenem<sup>t</sup> in Howden & divers other howses landes tenements & hereditaments tythes pfitts & emoluments belonginge to the divyidend pattente to the use of the said Ciceley Sandes for the terme of (*left blank*) & by her letten by Indenture Unto the said John & others for divers yeares yett enduringe for Which the said yerely rent is payable in which indentures allsoe the said Cicely Sandes doth coveñte to and with the said Higdon & other the lessees to save harmlesse from repayinge of the chauncell of the Church of Howden aforesaid duringe the terme so by her demysed & allsoe to fynde bellroppes for the same Church & bread & wyne for the cōmunicants there as by the said Indentures more at large it doth & may appeare and that becawse the said chauncell was in decay the said Higdon & other lessees to the said Cicely Sandes were sued in the Ecclesiasticall Courte at York & by sentence of that Courte were compelled to repaire the same Whereuppon the said higdon & other the said lessees brought there açion of Coveñnt against her at the Cōmon lawe to save them harmlesse as by the said Coveñnt she ought to doe & thereuppon she exhibited her bill into this Courte against the said higdon & other the said lessees Whereupon they answered & the matter came to hearing in this Court & a decree made by the Courte that the said Cicely Sandes should mayntaine all reparaçons accordinge to her said coveñnt as often as need should require & that the lessees should not pceede any further in the said açion of coveñnt at the cōmon lawe but that a cōmisson should bee awarded to indifferent psons to see and viewe the reparaçons done by the said lessees & to examine Wittnesses in the cause & to end it if they could as by the said order more at large appeareth and enformed further that nevertheless she hath of late cōmenced her said suite against the said higdon & others the said obligees uppon the said bond for the said rent so deteyned for allowance of the said reparaçons as aforesaid and for that yt was further alleaged by the said S<sup>r</sup> John Jackson that the said lessees of the said Cicely Sandes had not sithence the said decree pceeded against the said Ciceley uppon the said coveñnte accordinge to the tenor of the said decree And that they did not deteyne any pte of the said rente by only soe much as hath beene by them expended as aforesaid.

It was thereuppon ordered by the Courte in Trinitye terme last that lawrence harrison & other the obligees should exhibit there bill unto this Courte against the said Cicely Sandes touchinge the pmisses

and that upon affid. to bee made that the cause of the said suite upon the said bond only for such p<sup>te</sup> of the rent as hath beene disbursed by the said lesees in the said reparaçons by them expended as aforesaid an Imuniçon should be awarded to stay the said suite upon the said bond comēced against the said harrison & other the obligees aforesaid as by the said order more at large yt doth appeare And where allsoe by consent of both pties the matter was this terme referred to the hearinge of Sr John Savile knight one of the Barons of this Courte nowe upon hearinge of the Councell on both sides yt is ordered by consent of the ptyes that the said lawrence harrison & the other lessees before the end of next hillary terme shall satisfye and pay to the said Cicely Sandes the sūme of fitye fyve poundes in full payment & discharge of the said rente & arrerage of the said cxviii<sup>li</sup> for which the suite is comēced as aforesaid and that all suite nowe depending beetwene the said pties shall cease & bee noe further pceeded in. And yt is lastly ordered by the Courte & directed to M<sup>r</sup> Doctor Goodwyn & M<sup>r</sup> Henry Swynborne gyvinge them authoritye by the same to survey the chauncell of the said church & what is to bee allowed more for the necessarye reparaçons of the same and upon the retorne of the said Comis̄sion the Courte will take further order therein.

Fanshawe.

To the right honorable the Lord Treasurer and Barons of his Maties highe Courte of the Exchequor.

The Certificate of henrie Swinburne Bachelor of the Lawe and of Richard Remington Master of Artes archdeacon of the archdeaconrie of the East-ridinge within the dioces & countie of York concerninge the survey and viewe of the decaied chancell of Howden in the said countie of Yorke.

Our bounden duties to your honors premised, Whereas we received his Maties Comis̄sion from this honorable Courte directed to Doctor Goodwin to be exequuted by anie two of us for the survey and viewe of the decaies of the chancell of the Church of Howden within the countie of Yorke & examination of witnesses what more summes are necessarie for the reparations thereof than sixty three pounds alreadie bestowed thereupon by Lawrence Harrison John Higdon and others their fellows cofermors under M<sup>res</sup> Cicilie Sands of certaine lands tenements tiethes and other emoluments belonging to the dividēt of Howden & pcell of the late prebend of Skelton being fermor thereof under his Matie We by vertue thereof upon the seaventh of Aprill 1606 (Doctor Goodwin otherwise called) did repaire unto the said Church of Howden personallie & together with workmen as



masons carpenters glasoners & plummers did viewe and survey the said chancell & decaies thereof and did minister unto everie of those artifices oths to depose (weighinge and consideringe the former chardge imploied and the present staite of the decaies what more sommes would yett be necessarie & needful to be imploied for the present reparations of the said chancell above the former charge bestowed) And Thomas Walker & John Dobson masons have sworne and before us deposed by their othes, that the charge of the stonne . . . . . scaffoldinge and workmanshipp of the stonne worke will yet cost thirtie pounds And George Chapman and James Bradley carpenters have sworne and deposed that the wood timber & bords is in decaie and will cost with the workmanship to be repaired the some of xxxij<sup>li</sup> vj<sup>s</sup> viij<sup>d</sup> And Hercules Blande Xpofer Blande glaisoiers have sworne & deposed that there wanteth five hundred twentie fowre foot of glasse w<sup>ch</sup> with the settinge upp thereof in . . . . workmanshipp will cost xij<sup>li</sup> ij<sup>s</sup> And the said Xpofer Bland Hercules Bland Thomas Barker also exercisinge the arte of plummers have said and have testified by their othes that the Lead, sowder & workmanship will cost the somme of xxx<sup>li</sup> w<sup>ch</sup> cometh in the whole to the some of cvij<sup>li</sup> viij<sup>s</sup> viij<sup>d</sup> w<sup>ch</sup> we thinke to be true and wilbe needfull. Theis things we testifie unto your honors to be that w<sup>ch</sup> we have doone and expediated concerninge the exequution of his Mat<sup>ties</sup> Commission annexed.

Thus with our praiers to thalmightie for your honors we humblie take our leave In testimonie whereof we have hereunto sett our handes and seales the ninth daie of Maie 1606. In the fourthe yeare of his Mat<sup>ties</sup> happie Reigne (of England) and of Scotland the thirty ninthe

Henry Swinburn

Richard Remington.

#### 6 James I.

Whereas Sir Samuell Sandes knight hath heretofore exhibited his byll of Complt. into this honourable Courte (against) Thomas Smyth & henrie Were defend<sup>m</sup> for & concerning three oxgangs of lande in Howden in the county of Yorke called Pall oxgange Clement oxgange & ffatt oxgange heretofore demised to the Plt. by the late Queene Elizabeth under the yearlie Rent of xxxij<sup>li</sup> xij<sup>s</sup> p. ann<sup>m</sup> w<sup>ch</sup> the deft<sup>r</sup> with helde from the sayd complt. and thereuppon the sayd defts. appeared & the said Smyth answered layinge downe therein that he claymed interest in fower oxgang of land there & p'tended the

same to be Coppihold land holden by Coppie of Courte roll of the mannor of houlden accordinge to the custome of the sayd mannor and that he held the same as tenn<sup>t</sup> to one Arthure Robinson but denied that he knewe any of those oxganges to be p<sup>r</sup>cell of Pall oxgange Clement oxgange & flatt oxgange and thereupon the p<sup>r</sup>t replied & the deft rejoyned & joyned in Comission for exāiaçon of Witnesses in that matter w<sup>ch</sup> beinge executed & returned and thereupon publication beinge had & the cause this day beinge appointed to be heard. fforasmuch as uppon the hearinge of the sayd cause it appeared unto this Courte that the said Smyth claymed the p<sup>r</sup>mises in the right of the said Arthur Robinson whoe is not made p<sup>r</sup>tie to the sayd suite and also for that it seemeth that Henrie Gates, gent. sonne of John Gates Esquire from whome the sayd Robinson claymeth to hold some p<sup>r</sup>te of the sayd oxganges & is not named in this byll w<sup>th</sup>out whome & the sayd Arthur Robinson beinge made p<sup>r</sup>ties to this suite the Courte conceaveth they cannot well p<sup>r</sup>ceed to end this cause. It is therefore thought fytt and ordered by the Courte that the sayd Robinson & Henrie Gates their names shalbe inserted in the p<sup>r</sup>ts bill & they to be named therein as defts and that thereupon the sayd Robinson & Gates shall make an answer & thereupon this Courte intendeth to p<sup>r</sup>ceed to the rehearinge of the same cause and in the meane tyme it is ordered that a Comission shalbe awarded to some of the Kings officers & to such others as M<sup>r</sup> Baron Altham shall noiate to auctorize them to enquire & fynde out where the oxgangs in question doe lye and in whose occupaçon the same are & to sett the same out from thother oxganges which comission is appointed to be retornable mense Michis next.

Fanshawe.

Howden Com. Ebor vij<sup>o</sup> die Octobr 1609.

We finde that there is three such oxganges of Lande as in the orders annexed to this Comission are sett downe in be inquired for lyeinge in the feildes of Howden called by the names of Polly oxgange Clement oxgange and flatt oxgange, one of the saide oxganges is now in the occupaçon of one Frauncis Davye or his assigns The other two oxganges are in the occupaçon of Arthur Robinson of London, gent., & Henry Gaites of Howden aforesayde, gent., or theire Assignes And that the full valewe of one oxgange or more if the same is in the saide M<sup>r</sup> Robinson his occupaçon or his Assignes And that there hath bine yearely Rent paid for the same to the Assignes of the Leassees of the Divident or Prebende of Skelton in the Countye of Yorke before the same Landes came to the handes of the sayde M<sup>r</sup> Robinson & M<sup>r</sup> Gates.

Per Sacrm: Thome Geare Steph. Fingley Gregory Rainforthe  
Will<sup>m</sup> Thackwray Roſti Robinson Thome Smythe R'ci Cattall Will<sup>m</sup>  
Moreton Johis Awdhus ffr: Pennington, Roſti Osborne Nichi Pet-  
wardine Hugonis Eaxbye, Roſti Nelson Jur:

The writ attached is dated at Westminster xxx<sup>o</sup> June 7 James I.  
and directed to Walter Jobson Esquire, Feodary of the County  
of York, William Rookebie, gentleman, Marmaduke Machell,  
gentleman, and John Higdon, gentleman.

Deposiçons of Witnesses pducte sworne & examined by Frauncis  
Hildesley knight Henry Akewynde and Peter Langdale by virtue of  
a Commission to them and others directed taken at Howden the xi<sup>th</sup>  
daye of September in the Tenth yeare of his Māt<sup>e</sup> Raigne A.D. 1612.

Cutb<sup>te</sup> Musgrave of Howden gent. aged lvijj or thereabouts  
deposeth and sayeth as followeth:

Beinge examined whether he doth knowe the lande nowe in  
question called Paley oxgange Clement oxgange and fflatte oxgange  
he sayeth That he doth knowe of the said three oxganges of lande  
But sayeth that by the space of Eighteene yeares or thereabouts he  
did yearely receive the Rente of xxiiij for the said three oxgaungs  
of Lande videlt for two of the saide oxgange xxj<sup>li</sup> p. annu: at the  
handes of Anthony Atkinson and others the occupiers of the saide  
two oxgangs And that the said two oxgangs were then p'cell of a  
farme of three oxgangs & a half then in the occupaçon of the saide  
Anthonye Atkinson or his assignes And the other viij<sup>li</sup> p. annu. for  
another of the said three oxgangs of Lande of one Jo. Birkenshawe  
& others the occupiers of the said lande. Cuthbert Musgrave.

Roſto Jackson of Howden in the Countye of Yorke Laborer  
aged lxvijj yeares or thereabouts sworne & examined deposeth  
& sayeth as followeth:

Beinge examined whether he knoweth two oxgangs of lande now  
in controv'sie called Paley oxgange and Clement oxgange he deposeth  
and sayeth That his mother, one Margaret Mascall did occupye &  
possesse three oxgangs and a halfe of lande lyeinge in Howden feildes  
of w<sup>ch</sup> three oxgangs & a half he sayeth that two of them were the  
sayde two oxganges called Paley oxgange & Clement oxgange But  
w<sup>ch</sup> of the three oxgangs & a half were the said to oxgangs he  
knoweth not, But sayeth he dothe knowe the bounders of the whole  
three oxgangs and a halfe but cannot boulder or laye out the two  
oxgaungs by itselfe And further sayeth that his said Mother did  
paye yearely xxj<sup>li</sup> Rente for the saide two oxgangs of lande to M<sup>r</sup>

Cutbte Musgrave or his Assignes Beinge further examined whether theis sayde three oxgangs and a halfe of land mençoned in this former deposition of Cutbte Musgrave in the occupaçon of Anthonye Atkinson were the same three oxgangs and a half of lande mençoned in his owne deposiçon to be in the tenure of Margaret Mascall his mother he sayeth that they are the same three oxgangs and a half and noe other.

Robert Jackson.

The verdicte of Thomas Geare Xpofer Concett Thomas Smyth Thomas Dunne Edward Foxe Robt Nelson Robt Atkinson Thomas Wetherell Laurence Pattrick Robte Apethorpe Richard Jackson & Will<sup>m</sup> Storme sworne by the saide commissoñs for enquirye of the said two oxgangs of Lande called Paley oxgange & Clement oxgange given up under theire handes to the handes of S<sup>r</sup> Frauncis Hildesley knight & Henry Ackwyd gent. two of the Commissionis aforesaide the ffifhtt daye of October in the yeare aforesayd.

We find by one evidence that there is such two oxgangs in the feildes of Howden as abovenamed nowe enquired of and that they have bine in the occupaçon of one Richard Mascall and after in the occupaçon of M<sup>r</sup> John Gates Esquier w<sup>ch</sup> occupiers paide Rent to the Divident of Howden yearely xvij<sup>li</sup> And yt doth further appeare by the Oath of Robert Jackson of Howden that Richard Mascall his ffather in lawe had three oxgangs and a halfe of lande in Howden ffeldes in his occupaçon and the saide three oxgangs and a halfe of lande is nowe in the occupaçon of Thomas Smythe of Howden & others as appeareth by a bounder sett forthe by the said Robert Jackson of the saide lande he sayth that two out of the saide three oxgangs & a halfe are the two oxgangs nowe enquired of being called in antient tyme the Church Lande. But the landes of the said two oxgangs from the landes of the other oxgange and a halfe he knoweth not pticlerlye but doth sett them forthe together as followeth :

Theis are in the occupaçon of Thomas Smythe of Howden as followeth :

Imprimis in the Flatt feilde & Bownell two acres & a halfe.

It<sup>m</sup> in the Nornebye one acre and a halfe.

It<sup>m</sup> in the Corne Close three Roodes.

It<sup>m</sup> in the Little Close joyneinge uppon the old Lawne three Roods.

It<sup>m</sup> in the Howeinge three Roodes being two dales together.

It<sup>m</sup> in the yarnshawe one acre three Roodes & a halfe lyeinge in three dales & three single Roodes,

It<sup>m</sup> in the Townend Close one acre & a halfe and halfe a Roode & the fourth p<sup>te</sup> of halfe a Roode.

It<sup>m</sup> in the Buttfeilde one acre in three landes buttinge uppon the Townend Close.

It<sup>m</sup> three Roods buttinge uppon the broades, one acre and three Roods in a furlonge lyeinge East & West.

It<sup>m</sup> two halfe Acres Lyeinge together in the same feilde.

It<sup>m</sup> one headlande conteyninge a Roode & a halfe one half acre  
buttinge uppon the saide Headlande and half a rood more.

It<sup>m</sup> three Landes conteynge an Acre & a Roode in the same feilde.

It<sup>m</sup> in the farre brodes three landes conteynge one acre.

It<sup>m</sup> in the dikesmarshe feilde three halfe acres.

It<sup>m</sup> in the Elromes three Roodes & a halfe in two landes.

It<sup>m</sup> in the Owsecarr feilde three acres beinge foure halfe acres one of  
them beinge a headlande one three Roode Lande and a single  
Roode.

It<sup>m</sup> in Owsecarre foure acres three Roods & a halfe lyeinge in five  
three Roode landes & three halfe landes.

It<sup>m</sup> in the Booth feilde three acres in five landes one beinge an acre  
and a halfe one halfe acre two beinge three Roodes and a single  
Roode.

It<sup>m</sup> in the Spainbridge foure landes conteyninge an acre and a halfe  
three of them buttinge uppon Knedlington feild & two three  
Roode Landes buttinge uppon boothe feilde.

It<sup>m</sup> more in the occupaçon of Will<sup>m</sup> Anderson of Boothe one five  
Roode Lande in the Buttfeilde.

More in the occupačon of Robte Stevenson of Howden,

Draper, as followeth :

It<sup>m</sup> halfe an Acre in the Bownell.

It<sup>m</sup> in the Buttfeilde three Roodes buttinge against the Broades and three Roodes buttinge against the Smaleings bottomes and two Roodes more about the midst of the feilde.

**More in the occupaçõn of Robte Stephenson.**

It<sup>m</sup> in the Smaleings bottomes one acre lande.

It<sup>m</sup> in the Elromes one acre & a halfe in two landes.

It<sup>m</sup> in the one three Roode lande, one halfe acre  
lande, two landes conteyninge three Roodes and two Roodes.

It<sup>m</sup> in the Boothe feilde one Acre in three landes beinge one halfe  
acre and two Roodes.

It<sup>m</sup> in the Spainbridge feilde one three Roode lande in the Lowe Spainbridge & one three Roode lande buttinge against Boothe feilde & one Roode & a halfe buttinge against Boothe feilde.

In 10 James I. the Court heard the cause of Sir Samuel Sands against Arthur Robinson, Thomas Smith, Henry Weare, Phillip Monckton, Robt. Stephenson and others, and decided in favour of the Plaintiff ordering the Defendants to submit to a Commission to be nominated by both sides and at equal charges, to set out the two oxgangs.

An Inquisition was afterwards made at Howden by Thomas Potts esquire, Marmaduke Machell gentleman, and Henry Ackroyde gentleman, Commissioners of the King, William Thornton of Alisby gentleman, Robert Pindsley of Latham yeoman, William Wilsh, Richard Wittington, Roger Lighton of Bromflete, gentleman, William Erratt of Flaxfleet, yeoman, William Batman of Beilbye, yeoman, Robert Clarke of Seaton, George Estrigge of Evernoyley (?), Thomas Hadlesey of Skelton, gentleman, Edward Erratt of Howden, yeoman, William Johnson and William Ayre.

The writ attached is dated 29 Nov<sup>r</sup> 11 James I., and directed to Thomas Potts Esquire, Marmaduke Machell gentleman, Henry Ackroyde gentleman, and James Beste gentleman.

## NOTE ON A BRITISH CHARIOT-BURIAL AT HUNMANBY, IN EAST YORKSHIRE.

BY T. SHEPPARD, F.G.S.,

*Curator Municipal Museums, Hull.*

IN May last, during the process of excavating clay for brick-making in a pit close to Hunmanby station, a landslip occurred which exposed some articles of bronze. The writer was acquainted with the circumstance, and immediately went to Hunmanby, where, with the assistance of Mr. C. G. Danford, of Reighton, and of Mr. Parker, the owner of the pit, excavations were made, resulting in the discovery of a British chariot-burial.

From a geological point of view the exposure in the brick pit is of some interest, and consists of a section in the glacial series, at a height of about 300 feet above the level of the sea. In the lower part of the pit is an exceedingly tough dark-coloured boulder clay or "till," crowded with far-travelled erratics, some (particularly the limestones of the Carboniferous period) being beautifully polished and striated. About five feet of this deposit are exposed. Immediately above it are about four feet of finely-laminated grey stoneless clay, evidently of lacustrine origin, excellent for brick-making. This is followed by six feet of fine marly sand, mostly evenly bedded, and, at the top of the section, about six feet of rough ferruginous gravel, which is fairly compact. As might be assumed from the nature and relative positions of the different strata, small landslips occasionally take place, the upper gravels sliding down on the clays beneath.

The objects exposed by the recent landslip were a bronze bridle-bit, and fragments of a thin bronze plate.

Attention was first paid to the slipped mass of gravel. This was carefully examined, and yielded the iron hoop of a chariot wheel, though it was in several fragments. The hoop is slightly over an inch in width, but on account of its oxidised state it is not possible to ascertain the exact original thickness of the iron. The rim appears to have been turned inwards on each side. Sand and small pebbles have adhered to the tyre. From the specimens obtained the diameter of the wheel was calculated to have been nearly three feet. Portions of the iron hoops for the naves were also secured. These appeared to be of thicker material, and, if complete, would be six or seven inches across. Obvious traces of wood were found adhering to the

iron of both the large and small hoops, but nothing was present to indicate how many spokes existed, nor, indeed, was there evidence of spokes at all. One or two curved pieces of iron were also found.

After being satisfied that there were no further relics amongst the slipped material, attention was devoted to the grave, which was well shown in section at the top of the pit, the disturbed portion being readily distinguished from the naturally bedded gravel at its sides, particularly as a thin layer or "pan" of iron lined the grave. This "pan" owes its existence to the disintegration of iron, of which metal quite a large quantity must have occurred amongst the objects interred.

The burial was situated under a slight mound, or tumulus, now almost levelled as a result of agricultural operations, though some of the workmen remembered it when it was much more conspicuous than it is to-day. The grave was basin-shaped, and the sides curved inwards. It was 11 feet 6 inches across the top, and 3 feet 6 inches deep (measured from the original land level) in the middle. The floor of the excavation was not horizontal, but was five or six inches deeper at one end than at the other. The infilling consisted largely of sand, with occasional sandstone, etc., pebbles. This material, partly from the quantity of iron it contained, and partly no doubt from the decayed organic material, was exceedingly compact and difficult to work. Towards the bottom of the grave was a quantity of greyish material, with the peculiar "greasy" feeling so characteristic in places of this nature.

On carefully examining the section, it was seen that traces of bronze occurred. Some of this material was in very thin plates, and too far decayed to bear touching, and some was in the form of a beading or tube cut horizontally, about a quarter of an inch wide. After several hours' work it was seen that lying on the bottom of the grave was a large shield of wood, apparently oak, ornamented on the upper surface with exceedingly thin plates of bronze, and with a border formed of more substantial material—a strip of bronze, about one-sixteenth of an inch in thickness, and three-quarters of an inch in width. This had been carefully hammered over into a U-section, into which the edge of the wood shield was clearly fitted. This bronze strip was fastened to the wood by means of small bronze rivets, about a quarter of an inch long, exactly the thickness and shape of an ordinary household pin-head. Unfortunately the greater portion of this shield had fallen with the landslip, and with the exception of a few pieces of bronze, forming the border, not any of it was recovered; nor is this to be wondered at, as even in that portion examined in position both the wood and the thin ornamental plates were so fragile



and decayed, that they would not bear touching. As much as could be possibly moved was taken away, though this was only accomplished by also removing the soil upon which it rested. The portion of the shield remaining was nearly two feet long, almost straight-sided, except towards the ends, where the edges curved round, from which it would appear that the complete shield was straight-sided, with rounded ends, and quite likely resembled in shape the well-known enamelled bronze shield from the Thames at Battersea, figured as frontispiece to the recently-issued "Guide to the Antiquities of the Early Iron Age" in the British Museum. The Battersea shield, which is of the same period as that of Hunmanby, is about 30 inches long and 13 inches wide. At Hunmanby, however, it was obvious that the whole of the shield had not been covered with bronze, but was ornamented with thin plates, riveted on to the wood. Where the bronze had not entirely disappeared it was seen to be ornamented with the scroll-work in repoussé, so characteristic of the late Celtic period. Small pieces of this remained, and were carefully removed, whilst in other places the rivets alone indicated where the bronze covering had been.

Across one end of the shield were the remains of a flattened tube of thin bronze, of which little more than the cast remained—the metal having almost entirely disappeared. This was traced for about six inches, and may have been the remains of the thin end of a bronze scabbard, or of a spear—most probably the latter, as no other signs of a sword were visible.

Near the edge of the shield, and a few inches above it, were two curved pieces of iron of doubtful use—possibly part of the chariot—as well as various other pieces of that metal. Amongst the latter were two rivet-like pieces of iron (*i.e.* small bars with "heads" at the ends) with the wood still adhering to the sides, evidently used in connection with the construction of the chariot. These and many other evidences of the vehicle itself having been buried, are of importance, as according to some authorities a "chariot-burial" sometimes means that only the wheels and horse-trappings were buried with the warrior.

As might be expected from the nature of the subsoil, bones were very few indeed. Immediately below the tyre of the wheel presently to be described, however, were a fragment of bone and parts of two teeth of a horse, in an advanced state of decay, but apparently good evidence of the animal having been buried with the chariot.

Perhaps one of the most interesting finds, however, was the iron tyre of the second wheel, the upper portion of which was found in position about a foot from the bottom of the grave. It was soon found that the wheel had collapsed, the lower portion being flattened

out on the bottom of the excavation. The position of the iron demonstrated that the wheel, and presumably the chariot also, had been buried in its normal standing position, and that as the wood decayed the tyre gradually subsided under the weight of the earth above. Had the wheels alone been buried, even in a standing position, the soil would gradually have taken the place of the decaying wood, and the tyre would have been found complete. Between the two crushed portions of this iron rim were found the remains of the smaller ring of iron which surrounded the nave of the wheel.

The bridle-bit of bronze<sup>1</sup> found in the first instance (Fig. 1) is very similar in type to the specimen from Arras, now in the York Museum, which is figured and described by the Rev. Edward William Stillingfleet, in the "Account of the Opening of Some Barrows on the Wolds of Yorkshire."<sup>2</sup> The Hunmanby bridle-bit, however, is rather larger, and is more delicate in design. The two rings forming the bit are made of bronze, they are  $2\frac{1}{2}$  inches in diameter, and the  $\infty$ -shaped piece is  $2\frac{1}{2}$  inches in length.

There is also a thin lenticular piece of plain bronze, measuring about 3 inches by  $2\frac{1}{2}$  inches, which is polished on the convex side. At its edge there still remains a rivet, in position, from which it would appear that it has been fastened to something. The use of this is doubtful; it is possibly a portion of a bronze hand-mirror, metal mirrors having been found with chariot-burials of this period elsewhere. The precise original position of this object cannot be ascertained, as, together with many smaller fragments, it was found in the slipped earth. From the same material also a portion of a large bronze ring (Fig. 2) was secured. This at first was thought to be part of a second bit (as bits generally occur in pairs in chariot-burials), but from the way it thickens towards its broken extremities it has evidently been for some other purpose. Where broken there are traces of iron, which have the appearance of being part of something to which the ring was attached. A smaller ring of bronze (Fig. 3), thickened in two places, was found in the grave near the tyre. It is probably part of the harness, and somewhat resembles the bronze ring attached to the upper part of the linch-pin, shown in Fig. 2 of Plate 4 of Stillingfleet's

<sup>1</sup> In Canon Greenwell's paper on Early Iron Age Burials in Yorkshire, just issued (*Archæologia*, vol. lx., pp. 251-322), a postscript is added relating to the Hunmanby burial. In this, referring to the bridle-bit, Canon Greenwell writes: "It is stated to be made of bronze, but is, no doubt, like many others which have occurred elsewhere, of iron, bronze-coated." In this, however, Canon Greenwell is mistaken. The Hunmanby

bridle-bit is broken in more than one place, and unquestionably is bronze to the core.

<sup>2</sup> Memoirs illustrative of the History and Antiquities of the City and County of York (Proceedings of the Archæological Institute (York vol.), 1846, pp. 26-40). The figures there given are reproduced in Canon Greenwell's paper just referred to, and in the recently issued Victoria History of Yorkshire, vol. i.

paper, and also reproduced by Canon Greenwell in *Archæologia*, vol. lx., fig. 40, p. 40.

With regard to the age of the Hunmanby chariot-burial, it seems probable that it dates from the second or first century B.C. The early geographer, Ptolemy, records that there was in his time in this district a tribe of the Parisi, presumably a branch of the Parisii on the Seine, who have left their name in the city of Paris. The ancient tribe of the Brigantes also occupied East Yorkshire in pre-Roman times, but which was in occupation first, or whether both lived in the area as "neighbours," is not known. It is known, however, that in certain small tumuli of the early Iron Age, which exist in East Yorkshire (and in these alone), chariot remains and horse trappings have been found buried with the dead. Of these chariots and the havoc they wrought there is abundant evidence in the early Roman records. And it is of some moment to bear in mind that East Yorkshire—the land of the Parisi and Brigantes—has yielded such positive proof of the former existence of these early methods of warfare.

When it is remembered that Canon Greenwell, Mr. Mortimer, and others have opened somewhere about seven hundred early British burial mounds in East Yorkshire, and that out of that enormous number only about half-a-dozen chariot-burials were met with, the importance of the present discovery at Hunmanby will be appreciated.

It may here not be without interest to briefly refer to the previous records of a similar kind.

Canon Greenwell, in his "British Barrows" (1877, p. 454), describes three chariot-burials found near Market Weighton. In one barrow were the iron tyres of two wheels, about 2 feet 8 inches in diameter. The naves, of wood, were  $5\frac{1}{8}$  inches in diameter. There were two snaffle-bits of bronze, some rings, and a circular mirror of iron, with a bronze plating fastened to the iron by small rivets. In two other instances (one at Arras and one at Hessleskew) the wheels only appear to have been buried. With one of them was also a mirror, and accompanying the other was a shield with a bronze boss and an iron rim. In 1875 Canon Greenwell opened a small barrow at Beverley in which "two wheels of the chariot and what is almost certainly an iron bit were the only articles discovered."

In his recently published "Forty Years' Researches in British and Saxon Burial Mounds of East Yorkshire," Mr. Mortimer gives a summary of what is known of Yorkshire chariot-burials. In addition to those referred to above, mention is made of the remains of a "horse and cart" found in a gravel pit at Seamer. The hoops of the wheels were rusted and broken, and all the wood had disappeared. A workman carried the bones and iron away and sold them. It was

not until the close of his work amongst the East Yorkshire Barrows that Mr. Mortimer was fortunate enough to meet with a chariot-burial himself. In 1897, in opening one of the so-called Danes' graves near Driffeld, he found the hoops of the wheels and naves of a chariot, and rings of bronze and iron belonging to the horse-trappings. Reference is also made to two other probable finds—one was at Huggate, when the tyres of two small wheels were carted away, with many bones, whilst levelling a barrow; the other was in 1888, during the construction of the Driffeld and Market Weighton Railway. In filling a waggon from a cutting near Enthorpe, a lot of bones and rusted iron were observed. A pin or bolt, of bronze and iron, was picked out, and is figured by Mr. Mortimer. This is undoubtedly one of the articles known as "linch-pins," similar to those found in the Arras, etc., chariot-burials.

Mr. Parker has thoughtfully placed the "finds" from Hunmanby in the Municipal Museum at Hull, where they find a permanent home in the Riding.

#### Description of Plate.

Bridle-bit, portion of large ring and small ring of bronze, from the Chariot-burial at Hunmanby. The square near the centre represents a square inch. The  $\infty$ -shaped piece in the centre has been separated from the two side pieces in order to show its shape.

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(A short MS. by this writer describing the find made at Arras in 1815-16-17 is preserved in the Library of the Yorkshire Philosophical Society at York.)

Dr. Wm. Wright.

Notes on the Human Remains found in the Danes' Graves. (Appendix to Canon Greenwell's paper, *Archæologia*, vol. lx., 1907.)



# INDEX.

The letter "n" indicates that the name is in the notes to the page.  
Numerals printed in heavy type denote the principal reference to the subject.

## A

Abbott, Nicholas, 472  
Absalon, John son of, 116; parson of  
    Gilling, 110, 178  
Absolutions, 64, 66  
Acaster Malbis, 19-30, 113, 118, 179,  
    185, 187, 192  
Acclome, Ric., 184  
Ackroyd, Henry, 479, 481  
Ackworth, 85  
Aclayes, Master, 472  
Adam, Alex., 103  
Addingfleet, 78  
Adel, 50  
Agnes Burton, 186, 191  
Ainhowe Cross, 359  
Ainsty, 23, 42, 171  
Airedale, 39, 40, 42, 46, 50, 59  
Akewynde, Henry, 478  
Alan, earl, 52, 56, 57; *see also*  
    Richmond  
Albemarle, duke of, 473  
Alcuin, 268  
Aldbrough, arms of, 156, 157, 159, 163,  
    164, 166; Wm., 156  
Aldburgh, 75, 76, 79  
Aldeborne, co. Wilts., 227, 258  
Aldfield, 57  
Alexander, abbot of Meaux, 110  
Alford, Francis, 135; John, 135  
Allbut, Prof., 31  
Allen, J. Romilly, F.S.A., 267, 272,  
    276, 282, 285, 286, 287, 288, 293*n*,  
    305, 306, 330, 344, 393, 401, 408,  
    487  
Allerthorpe, 88, 91  
Allington, Mr., 191  
Almondbury, 419, 434  
Alne font, 268, 294, 330  
Alnewyk (Alnwick) Castle, 225  
Alresford, John de, 252, 253  
Altam, John, monk, 101  
Altham, Baron, 477  
Alyngtone, 206, 209, 221, 251  
Amadas, Thomas, 159; Thomasin, 159  
Amotherby, 269, 270, 271, 272, 273,  
    299  
Ampleford, Matt., monk, 101  
Ampleforth, 114, 117, 118, 180;  
    Geoffrey de, 109*n*, 114  
Ancient Britons, religion of, 447-452  
Andrew, Nicholas, of Dodworth, 431

Angus, Umfraville, earl of, 74  
Anne, Win. de, 198, 214, 216  
Anthropology, 31  
Apethorpe, Rob., 479  
Appelby, John, clerk, 453, 454  
Apulia, Simon de, 110*n*  
Aquitaine, 217, 218  
Arbrush, Mr., minister, 473; Nicholas,  
    461, 473; Thomas, 472  
Archæologia, 263  
Ardsley, 58  
Armada, The, 77  
Armley, 42  
Armour, Jousting, 254  
Arthington, Agnes, nun, 102  
Arthroppe, Rob., 472; Thos., 472  
Arundel, manor of, 252; Alesia, coun-  
    tess of, 221, 251, 259; Edmund,  
    earl of, 197, 214, 219, 221, 222, 225,  
    226, 228, 249, 251, 259; Eleanor,  
    countess of, 253; Richard, earl of,  
    234, 238, 245, 250, 251, 252, 253,  
    256, 257, 259, 260  
Arvynden, 260  
Ascough, pedigree of, 78*n*; Alan, 78;  
    Anna, 78, 79*n*; Francis, 79; James,  
    78; Thomas, 78; William, 79*n*  
Ashe, Christopher, 463  
Aske, John, 129; Robert, 125, 126,  
    128, 129  
Askew, Lady Bridget, 76  
Askham, Thos., vicar, 180  
Aspatia, co. Cumberland, 288, 306  
Athelardestre, Henry de, 215  
Atkinson, Anthony, 478, 479; Eliza-  
    beth, 433; Henry, 424, 433;  
    Mary, 429; Raife, 467; Robert,  
    98, 429, 479  
Aton, arms of, 106*n*, 161, 163, 166, 169  
Attmar, Ric., 472  
Aube river, 1-17 *passim*  
Audas, John, 472, 478  
Audele, John d', 238  
Auden, Dr. G. A., 401, 435, 442  
Aumbresbury, 215, 227, 235, 244*n*, 258  
Autun Cathedral, 440, 445  
Averham, Notts., 133  
Awdus, Rob., 461  
Axenholme, Isle of, 226  
Aye, *see* Eye  
Ayre, Wm., 481  
Ayrum, arms of, 149, 160, 163, 164, 166  
Ayton, Great, *see* Great Ayton

## B

- Babthorpe, Wm., 184  
 Badelsmere, Barth. de, 194, 214  
 Baildon, W. Paley, 19  
 Bailey, arms of, 165*n*, 166  
 Bakerston, Sir Wm., 61  
 Bakewell, 278  
 Balderston, Simon de, 215, 241  
 Baldock, Robert, 217  
 Baldwin-Brown, Prof., 329, 337, 343, 372  
 Baliol, Edward, 195; John, 195  
 Bamborough, 122, 123*n*  
 Bamburgh, Sir Wm., 113, 136, 167  
 Bankes, Robert, 457  
 Bannockburn, 154*n*  
 Bar, Count Henry, 193, 198, 201, 245;  
     Joan, Countess Warenne, 193, 194,  
     195, 199, 200, 201, 204, 205, 208,  
     215, 218, 219, 222, 225, 226, 227,  
     230, 236, 242, 243, 245, 248, 249,  
     252, 254, 257, 260, 261, 262, 263,  
     264  
     —sur-Aube, 2, 16  
     —sur-Seine, 16  
 Barber, Wm., 461  
 Barden, James, 459  
 Bardeney, Walter de, 193  
 Bardolf, arms of, 158; Thomas, 229  
 Barker, Thos., 476; Wm., 460, 468  
 Barn, Robert son of Walter de, 114;  
     Walter le, 116  
 Barnard Castle, 85  
 Barne, Robert, 114*n*  
 Barnes, Rev. J. A., 137  
 Barningham, 275, 299  
 Barnsley, 39, 40, 46, 47  
 Barrow, Bishop, 77  
 Barrowe, John, 101  
 Barton, co. Lancashire, 359; Adam de,  
     111; Alice, 78; Colin, 116*n*; John  
     de, 116*n*; Thos., 192; Wm. de, 114*n*  
     —le-Street, 268  
 Basingstoke, 229  
 Baskerville, Isabella, 243; Ric. de, 243  
 Bassett, Joan, 133, 158, 160*n*; Ric.,  
     229; Thomas, 133, 158  
 Basyng, Joan, 254  
 Basyngby, Ric. de, 23  
 Bateman, Rev. W. H. F., 434  
 Batman, Wm., 481  
 Batsford, B. T., 151  
 Batterax, 60  
 Bawne, Wm., 191  
 Bealby, John, 472  
 Beauchamp, Lady, 219; Sir Roger, 119  
 Beaufort, Henry, Duke of Somerset,  
     123; Joan, 122  
 Beaumont, arms of, 158, 159, 160, 164;  
     *see also* Leicester, earl of  
 Beche, Nicholas, 235  
 Bechesworthe, 206, 209, 220, 221, 251  
 Beckering, arms of, 156, 158; Alice,  
     156*n*; Sir Thos., 156*n*  
 Beckermest, co. Cumberland, 322  
 Beckes, Geoffrey del, 114, 116*n*; Wm.  
     del, 114, 116*n*  
 Beckwith, Agnes, prioress, 100; Thos.,  
     171*n*  
 Bedale, 50, 89, 155, 269, 271, 275, 277,  
     279, 285, **289**  
 Beddoe, John, F.R.S., 31  
 Bede, 268  
 Beeston, co. Norfolk, 245, 252  
 Beilby, John, 186, 187  
 Beine, Isabell, nun, 102  
 Bek, John, 212  
 Bell, John, 103, 466  
 Bellaque (Bellew), John, 154  
 Bellasis, arms of, 149, 162; Katherine,  
     191; Margaret, 191; Sir Wm.,  
     149, 189, 190, 191, 192  
 Bellew, arms of, 154, 155, 156, 163,  
     164, 166, 170; *see also* Bellaque  
 Bellingham, Henry, 182  
 Bello Campo, Guy de, 197  
 Belsay Castle, 138  
 Belton, Rev. Thos., 431  
 Beneley, arms of, 161, 163, 166  
 Bensley, Dr., 205*n*  
 Bentley, John de, 23  
 Benton, 185, 186  
 Benyburghlaunde, 23  
 Bernard the miller, 110*n*  
 Berndt, Rob., 72  
 Bertram, Thos., 254  
 Bertrandi, Garner, 262  
 Berwick-on-Tweed, 195, 214, 232, 233  
 Besingby, John de, 116*n*  
 Best, Christopher, 454  
 Beste, James, 481  
 Besthan, 60  
 Bethell, Heugh, 456  
 Betonson, John, 23  
 Beurepeir, 213  
 Beverley, 50, 102, 106, 461, 466, 488;  
     Mr., of Selby, 470  
 Bewcastle, 274, 278, 280, 294, 359  
 Beynton, Rob., monk, 100  
 Bickerton, 57  
 Bigod, Sir Francis, 129  
 Billingsley, 58  
 Bilson, John, F.S.A., 105, 435  
 Bilsthorp, Rob., 23; Thos., 23  
 Bilton, 23  
 Birdforth Wapentake, 135  
 Birkby, 271, 282, 286, **299**  
 Birkenshaw, John, 478  
 Bisert, William, 101  
 Bishop Auckland, 278, 279, 280, 337  
 Bishop Monkton, *see* Munketon  
 Bishopthorpe, 22  
 Bishopton, near Ripon, 57  
 Bisshop, Ric., 217

- Black Prince, the, 119  
 Blacktoft, 103  
 Blair, Rob., 73  
 Blaisdale, John, 103  
 Blancherd, Luke, 473  
 Blande, Chris., 476; Hercules, 476  
 Bogg, Mr., 39  
 Bohun, Edward de, 229; Humphrey de, 197; William de, 237, 243, 252  
 Bolton, Abbey, 100; Castle, 143  
 Bond, E. A., 263  
 Bone, Isabell, 465  
*Book of Arms*, Fairfax's, 171  
 Booth, Wm., parson of Felkirk, 419  
 Boroughbridge, 59, 131  
 Boterwyk, John de, 116  
 Botetourt, arms of, 157<sup>n</sup>; Sir Hugh, 157<sup>n</sup>  
 Bourges Cathedral, 441  
 Bowes, 268, 294, 330; Rob., 127, 130; Wm., 463  
 Boynton, Sir Thos., 135  
 Brackele, 197  
 Brackenbury, Cuthbert, 74  
 Bradford, 39, 40, 43, 46, 48, 49, 50, 61, 67  
 Bradley, James, 459, 461, 469, 476  
 Braffitt, Ruthvine, 471  
 Braithmere, 259  
 Braithewell, 206, 209, 220, 222, 224, 251  
 Braithwayt, Thos., 78  
 Brakanbergh, Alan of, 116; Robert of, 116  
 Brakesden, church of, 204  
 Brancepeth, 132, 181, 182, 183  
 Brandsby, 118, 137, 138  
 Bratby, 59  
 Bray, Wm., 205  
 Brayton Church, 133  
 Breareslay, Rob., 471  
 Breerton, John, 103  
 Brereton, Rob. de, 111  
 Bretton Hall, 421, 425  
 Bridekirk, co. Cumberland, 281  
 Bridlington, 23<sup>n</sup>, 127, 128  
 Brierley, 419; W. H., F.S.A., 143<sup>n</sup>, 154  
 Brighthelmstone (Brighton), 206, 209, 221, 251  
 Brightlesham, 213  
 Brimesfeld, 197  
 British burials, Bibliography of, 487, 488; chariot-burial, 482  
 Britons, religion of, 446-452  
 Brittany, arms of, 155, 156, 163, 166; John of, 155<sup>n</sup>  
 "Brokenspeare," 167  
 Brokett, John, notary, 191  
 Brompton, Allertonshire, 269, 270, 271, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 291, 292, 293, **299**, 300, 330, 335, 352, 372, 393, 413  
 Bronze Age, the, 446  
 Brooke, Rev. Arthur, 337  
 Brotherton, arms of, 164  
 Brown, Wm., F.S.A., 22<sup>n</sup>, 73, 177, 267, 337  
 Browne, Baldwin, *see* Baldwin-Browne; George, 462; Henry, 103; Thos., 462  
 Brumfelde, 207, 209, 213, 215, 221, 222, 231, 233, 237, 241, 245, 251, 257  
 Brumpton, John de, 230  
 Brus, arms of, 154, 155, 156, 170; Laderina, 154<sup>n</sup>; Peter de, 154<sup>n</sup>, 185, 187  
 Buba, Eliz., 420, 424  
 Buchan, earl of, 158, 233  
 Buckley, John, 429  
 Bugworth, 60  
 Bukton, 186  
 Bulford, Robert de, 114<sup>n</sup>  
 Bullock, Thos., 192  
 Buonaparte, Prince, 31, 42  
 Burcestre, Wm. de, 217  
 Burdet, John, 121<sup>n</sup>  
 Burdon, Robert, 114<sup>n</sup>; Wm. de, 103, 109<sup>n</sup>, 110, 114<sup>n</sup>, 116<sup>n</sup>  
 Bures, Rob. de, 243  
 Burgh, Christina, 102; Eliz. de, 262; John of Burgh, 74<sup>n</sup>; Lucy, 76  
 Burghersh, Barth. de, 229  
 Burghley, Lord, 131, 132, 134, 135; lord treasurer, 104, 455  
 Burne, John, 102  
 Burnell, arms of, 157, 159  
 Burneshead, 78  
 Burneston, 84, 94  
 Burnett, John, 88  
 Burnley, 61  
 Burton, 57; Abbey, 418; Sir John, 419; Ralph de, 183; Thos., abbot, 107  
 ——— Agnes, 184  
 ——— Constable, 136, 153  
 ——— in-Kendal, 289  
 Burun, Erneis de, 57, 57<sup>n</sup>  
 Busbie, Thos., 466, 468  
 Butley, co. Suffolk, 113, 136  
 Byland, 100, 107; Abbey, 111, 114, 118, 128, 203; Old, 277, 278, 285, 379  
 Bynedon, abbot of, 230  
  
 C  
 Calais, 26  
 Caldbecke, Rob., 103  
 Calveton, 116  
 Cambridge, 85  
 Calderdale, 39, 40, 42, 43, 46, 48, 49, 50  
 Campbell-Bannerman, Sir H., 51  
 Campsall, John, 23  
 Canford, co. Dorset, 210, 215, 227, 235, 236, 258



- Canmore, Malcolm, 50, 51  
 Capetoft, Reginald de, 109*n*  
 Captives, redemption of, 61  
 Carlisle, 131, 132, 195  
 Carlton, 75, 76*n*, 79, 133  
 Carter, Wm., monk, 100  
 Carthorpe, 88, 92*n*; family, arms of, 148, 160, 163, 164, 166; Eustacia, 19, 20, 149*n*; John, 19, 20, 149*n*  
 Carye, Richard, 461  
 Casse, William, 472  
 Castle Acre, co. Norfolk, 204, 234, 243, 245, 252  
 Castle Rising, 262  
 Castleton, Isle of Man, 280  
 Castleye, Thos., 100  
 Castro-Leonis (Holt Castle), 207, 209, 212, 215, 221, 222, 251, 257  
 Cathall, 23  
 Cathrick, Mr., 73  
 Cattall, Richard, 478  
 Catterick, pre-Norman stones at, 305; Alice, 74*n*; Anthony, 73, 74, 75, 76, 77, 79, 132; Dorothy, 75, 76; Edmund, 76*n*; Elizabeth, 73, 74, 76*n*; Francis, 75, 76*n*; George, 75, 76, 79; Grace, 75, 76; John, 74, 75, 76; Margery, 76; Mary, 75, 76; Thomas, 74*n*, 75, 76; Walter, 74*n*; William, 74, 75, 76  
 — Brass, the, 73  
 Cave, South, co. York, 80  
 Cawton, Henrie, monk, 101  
 — in-Ryedale, 111, 114  
 Caythorpe, 185  
 Cecil, Sir Thos., *see* Burghley  
 Chadwick, S. J., F.S.A., 220*n*, 224*n*, 225*n*, 453  
 Chapman, Ralph, priest, 102  
 Chapmane, Geo., 457, 476  
 Chariot-burial, British, 482  
 Chartres, 445  
 Chastellyon Castle, 196  
 Châteauvillaine, 17  
 Chaumont, 17  
 Chavyngton, Alex. de, 222  
 Cherleton, co. Somerset, 227, 235  
 Cherrye, Wm., 464  
 Chetwynd-Stapylton, H. E., 154, 155*n*  
 Chevallonnii, Claud, 1  
 Chichester, co. Norfolk, 229  
 Chillingham, 76  
 Chipchase Castle, 139  
 Chobbs, 161; *see also* Dorre  
 Cholmeley, Francis, 137; T. C., capt., 137  
 Church, Discipline of the, 80  
 Cistercian abbeys, 1, 5, 14*n*, 101, 107  
 Civil War, the, 85  
 Clairvaux, Abbey, 1-18; forest of, 1; Marmaduke, 183  
 Clapham, C., 83  
 Clare, Gilbert de, 197; lady, 262  
 Clarke, Robert, 481; Thomas, 419  
 Claro wapentake, 57  
 Clase, Thos., clerk, 121*n*  
 Claxton, Thos. de, 120  
 Clay, J. W., F.S.A., 133, 154*n*, 155*n*, 164*n*, 177  
 Clayton, church of, 240  
 Cleyton, 206, 209, 221, 251  
 Clifforth, Mr., 470  
 Clifton, 59; Eliz., nun, 102; *see also* Great Clifton  
 — by-York, 202, 203  
 Clinch, George, 487  
 Closeburn, 286  
 Cluny, 214, 239  
 Clyffe, Henry de, 223, 228  
 Clynton, Wm. de, 235, 237, 243, 250, 252  
 Cockerell, Edw., 102  
 Cocklaw Castle, 139  
 Cockshott, Mr., 33  
 Cokefelde, 206, 209, 221, 251  
 Coldhindley, 420, 428, 430, 431  
 Cole, Rev. E. Maule, 487  
 Collier, Rev. Carus V., 322, 337, 338, 407, 416  
 Collingbridge, arms of, 161  
 Collingson, Robert, 102  
 Collingwood, W. G., F.S.A., 267  
 Collins, Francis, M.D., 177  
 Collinson, John, 461  
 Colthorpe, rector of, 179; Roccliffe of, 19, 162  
 Colton, 190, 191; Rob. de, 116*n*; Wm. de, 114*n*  
 Colvile, John de, 118; Thos. de, 118, 121  
 Colvyll, Sir Thos., 22, 25  
 Colyns, Lancelot, 128  
 Comyn, earl of Buchan, 158  
 Consett, Christopher, 479; George, 456; Mr., 461, 462, 465  
 Conisborough Castle, 50, 52, 196, 198, 201, 206, 208, 209, 211, 212, 213, 216, 217, 220, 222, 224, 228, 233, 251, 254, 255, 258  
 Conquereto, Itherius de, 228  
 Conques Abbey, 439, 445  
 Constable, arms and genealogy of, 153, 161, 163, 166, 167, 168, 169; Catherine, 112, 136, 153, 161, 163, 166; Henry, 23; Sir Henry, 112, 136, 153, 161, 163, 166; Sir John, 161, 168, 169, 170; Ralph, 169; Robert, 129, 167, 168, 184; Stephen, 167; Symon, 168; Sir William, 167, 169  
 Conyers, John, 22, 25  
 Cooke, Elizabeth, 460, 466; George, 472  
 Copley, Jenet, 419  
 Copmanthorpe, 22, 23, 24, 25, 27, 185, 187

Corneburgh, Osbert de, 111  
 Corney, 203  
 Cortese school, 145  
 Cotness, Nicholas, 459  
 Cottingham, John de, 114*n*, 117  
 'Council in the North,' the, 130, 132, 134, 135, 136, 420, 469  
 Couton, Alan de, 117  
 Coventry, 38  
 Coverdale, Geo., 471  
 Coverham, Rob. de, 120  
 Cowick, 216  
 Cowling, 39, 40, 43, 44, 46, 48, 49  
 Cowton, 98, 117  
 Coxwold, 106, 118, 180*n*  
 Crathorne, Thos., 184  
 Craven, 32, 33, 39, 52, 59, 76  
 Craythorne, 269, 271, 272, 275, 276, 277, 279, 281, 282, 285, 286, 288, 291, 293, **305**, 352, 394  
 Cressacre, John de, 217  
 Creyk, Rob. de, 253  
 Croft, 269, 271, 283, 284, 286, 288, 290, 291, **306**, 315, 413  
 Cromwell, arms of, 158; Thos., 125, 129, 130  
 Crophorne, co. Worcester, 282  
 Crower, George, 185  
 Croydon, 193, 197, 287  
 Cruel, Rob., rector, 180  
 Cruer, Ric., 111  
 Cumberworth, Rob., 168*n*  
 Cundall, 30, 269, 274, 280, 281, 283, 284, 286, 292, 305, **315**  
 Curwen, arms of, 149; Sir Henry, 149, 189

## D

Dacre, co. Cumberland, 139, 279, 282  
 Dakin, John, LL.D., 98  
 Dalby Church, 78  
 Dalbye, Sir James, 456, 458, 460, 466, 468, 470; Mr., 470, 471  
 Dalton, Roger, 190  
 Damory, Roger, 216  
 Danby, John, 88; Wm., 185  
 Danford, C. G., 482  
 Danthorpe, Sir John, 168*n*  
 Darcy, Agnes, 112, 128, 133; Sir Arthur, 125; Elizabeth, 159; Sir George, 112, 128, 130, 133; Lord, 125, 126, 129, 159  
 Darlington, 73  
 Darton, 46, 47, 49  
 Davey, Francis, 477  
 Davyll, Isabell, 119; John, 119; Thos., 23; Wm., 23  
 Dawson, Lambert, 99; Wm., 192  
 Deane, Robert, monk, 101  
 Deincourt, arms of, 157, 159

Delaryver, Thos., 121  
 Denbigh, 215  
 Dent, 127  
 Denton, 123  
 De Quincey, earl of Winchester, 157, 158  
 Derby, Edward, earl of, 191, 192; Simon de, 198, 199*n*; Thomas, earl of, 184, 185, 186, 187  
 Derwent, vale of, 31  
 Despencer, Hugh le, 214, 215, 217, 227, 228, 230  
 Devenbury, church of, 240  
 Dewsbury, 206, 209, 212, 220, 222, 224, 251, 276, 278, 279, 280, 292, 299  
 Deyvill, John, 179  
 Dilston, 74  
 Dinnickhoff, Bernard, 150, 153, 160  
 Dispensations, papal, 201, 202  
 Dixon, canon, 29  
 Dobson, John, 476  
 Doddesworth, John, monk, 100  
 Dodsworth, Roger, 29, 105*n*, 109, 110*n*, 114*n*, 118*n*, 119*n*, 246  
 Doget, Ric., clerk, 233  
 Domesday Book, 38, 43, 56, 57, 58, 60, 106, 417; map, 50, 59  
 Dominicans, 68  
 Donatson, Ric., monk, 101  
 Doncaster, 39, 123, 127, 128, 217  
 Donecastle, John de, 216  
 Donne, John, 471  
 Dorking, 206, 209, 220, 221, 251, 261  
 Dormer, arms of, 161; Margaret, 161; William, 161  
 Dorre *alias* Chobbs, arms of, 161  
 Dowson, Peter, 461; Thomas, 473  
 Drake, Francis, 145  
 Drayton, 229  
 Dreux, earl of Richmond, 74*n*  
 Driffield, 50, 107, 487  
 Drochil Castle, 140  
 Duc, Viollet de, 2  
 Duff, Prof., 33  
 Duffield, Wm., 23  
 Dugdale's Monasticon, 61, 106*n*, 114*n*, 230*n*  
 Dun, John, 472  
 Dunbar, battle of, 195  
 Duncombe Park, 145  
 Dunne, Thos., 479  
 Durham, 51, 74; bishop of, 203, 210, 456, 458, 462, 469; pre-Norman stones at, 276, 278, 280, 300, 306, 337, 394, 413; Simeon of, 206*n*  
 Durllee, co. Wilts., 258  
 Dychenyngge, 206, 209, 221, 251  
 Dynasbran, 207, 209, 212, 221, 222, 251, 257

## E

Easby, 269, 270, 274, 280, 281, 282, 283, 284, 286, 291, 292, **315**, 329, 337  
 Easington, 269, 270, 271, 272, 273, 275, 282, 283, 285, 286, 291, 293  
 Eastwick, 60  
 Eaxbye, Hugh, 478  
 Edinburgh, 85  
 Edgerton, Mary, 473  
 Edston, Great, *see* Great Edston  
 Edward the Confessor, 53, 106  
 Edwin, earl, 52  
 Eggesholm, Wm., parson, 108, 109  
 Egmonton, 181  
 Eland, John de, 234  
 Eliseg, 322  
 Ellerburn, 269, 271, 273, 280, 281, 282, 286  
 Ellerbye, Ric., 190, 191  
 Ellerton, arms of, 416; Geoffrey de, 415; Joan, 415  
 Ellerker, Anne, 101; Sir Ralph, 127, 130  
 Ellis, A. S., 177; Matthew, 465  
 Ellison, Thos., 101  
 Elmeden, Eliz., 74; Margaret, 75, 76  
 Elmet, kingdom of, 31, 32, 39  
 Elmsall, 50  
 Eltoft, Anthony, 75, 76; Margaret, 75, 76  
 Ely, bishop of, 209, 245  
 Emerson, Wm., 101  
 Emley, co. Tipperary, 136  
 Engolisma, Hugh de, 226, 228  
 Enlart, M. C., 435*n*  
 Ergham, arms of, 149, 160; Sir Richard, 149*n*  
 Erpingham, arms of, 158; Sir Thos., 158*n*  
 Erratt, Edward, 481; Wm., 481  
 Errington, Hugh, 103  
 Escricke, Rob., 473  
 Eseden, Rob. de, 221  
 Esshe, Thos., monk, 101  
 Estfeld, Wm. de, 258, 259  
 Estrigge, George, 481  
 Ethnology, 31  
 Etton, of Gilling, 105; arms of, 140, 141, 148, 160, 163, 164, 166; pedigree of, 108, 112; Agnes, 117; Alex., clerk, 121, 122, 181, 183; Anne, 112, 180, 181; Cecilia, 108, 109; Elizabeth, 112, 117, 179, 180, 181, 183, 184; Felicia, 114; Geoffrey, 109, 110, 111, 114, 178; George, 181; Henry, 108, 109; Hugh, 107; Isabel, 112, 120, 180, 181; Ivo de, 19, 20, 21; Sir Ivo, 108, 111, 112, 114, 115, 116, 117, 121, 178, 179, 181, 183; Joan, 113, 115, 121, 178; John, 110, 120, 121, 179, 180, 181; Katherine, 180, 181; Margaret, 112, 180, 181; Matilda, 110; Miles, 121, 181; Nicolas, 179;

Richard, 114, 181; Robert, 108, 109, 110, 112, 116, 179; Robert, parson, 107, 108; Thomas, 107, 108, 109, 110, 112, 114, 116, 117, 118, 119, 120, 123, 143, 178, 179, 180, 181, 183, 184; William, 108, 109, 111, 114, 117, 120, 178, 181  
 Eure, arms of, 161, 163, 166, 169; Anne, 169; John, 212; Rob., 169  
 Evans, A. J., 449; Sir John, 487; William, 459  
 Everingham, Adam de, 121, 212; Katherine, 120, 180; William, 121  
 Exilby, 88  
 Exorcism, a German, 61, 67  
 Eye, honour of, 185, 187, 192  
 Eyre, Mary, 421, 424

## F

Fairbank, Dr. F. R., F.S.A., 193  
 Fairfax family, 19-30; pedigrees of, 19, 20, 123*n*; arms of, 147-151 *passim*, 160, 162, 163, 164, 165, 166, 167, 171; Agnes, 133; Alice, 180, 183, 188; Anna, 191; Brian, 19; Chas. Gregory, 9th viscount, 137, 171; Cuthbert, 133, 189, 190; Edward, 187, 190; Eleanor, 131*n*, 149, 189; Elizabeth, 118, 123, 143, 149, 179, 180, 184, 186, 190, 191; Gabriel, 134; General, 85, 123; George, 191; Sir Guy, 113, 123, 187; Henry, 133, 137, 189, 190, 191; Isabel, 190; John, 20, 21, 22, 23, 24, 28, 29, 30, 120, 162, 164, 179, 180, 183, 186; Margaret, 149, 186, 191; Mary, 133, 149, 164; Sir Nicholas, 113, 124, 125, 126, 127, 128, 129, 130, 131, 132, 135, 149*n*, 166, 187, 188-191; Richard, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 149*n*, 163, 184, 186, 187; Robert, 186, 187, 191; Thomas, 19, 20, 23, 28, 117, 118, 120, 123, 124, 162, 166, 179, 180, 183, 184, 185, 186, 187, 189, 191, 192; Thos., 1st viscount, 134, 136, 137, 153, 160, 161, 163; children of Thos., 1st viscount, 136; Thos., 2nd viscount, 112, 137, 164; William, 19, 20, 21, 28, 30, 137, 162, 164, 179, 180, 183, 184, 189, 191, 192; William, justice, 187; Sir William, 112, 128, 131, 133, 134, 135, 136, 143, 144, 145, 146, 148, 149, 153, 159, 160, 163, 171, 190, 191, 192  
 — Cholmeley, Hugh C., 107*n*, 109, 110*n*, 114, 116, 117*n*, 118*n*, 120, 121, 137, 171, 177

Fairfaxiana, Analecta, 29  
 Fallow, T. M., F.S.A., 100  
 Farnaham, 210  
 Farnhill, 76  
 Farnley, 40  
 Farwat, Elias de, 179  
 Faukes, Thos., clerk, 121<sup>n</sup>  
 Fekesby, 234  
 Feldshed, Wm., 102  
 Felkirk, 419, 430  
 Felton, John de, 225  
 Fencotes, William de, 23  
 Ferrers, arms of, 165  
 Ferrymyry, M., preacher, 466  
 Finghall, 269, 271, 272, 273, 281, 286, 292, **321**  
 Fingley, Stephen, 478  
 Firby, 92; Richard, 88; *see also* Fritheby  
 Fisshelake, 206, 209, 220, 222, 224, 236, 247, 251, 253, 254, 258  
 Fitz alan of Bedale, arms of, 155, 156, 157, 163, 164, 166; Agnes, 155; Brian, 155  
 ——— Baldric, Hugh, 52, 59, 106  
 ——— Henry, Sir Thos., 22, 25  
 ——— Hugh, arms of, 169; Sir Henry, 454; *see also* Hugh  
 ——— John, Eustace, 106  
 ——— Swein, Adam, 418  
 Flaynburgh, John, vicar, 180  
 Flete, Roger de, 216  
 Flood, John, 464  
 Flower, Wm., herald, 19, 21, 30, 423  
 Folkton, Yorks., 448  
 Folifayt, 185, 187, 188, 192; Alan de, 179  
 Folyfayt, arms of, 149, 160, 163, 164, 166  
 Fontevrault, 244  
 Forcett, 269, 271, 272, 274, 280, 281, 282, 286, 288, 292, **321**  
 Ford, Mary, 113, 136; Robert, 113, 136  
 Forster, Rob., 27  
 Fortescu, Sir John, 122  
 Forth, arms of, 167; Mary, 167; Rob., of Butley, 167  
 Foster, John, 467; Jos., genealogist, 19, 20, 74<sup>n</sup>, 154<sup>n</sup>, 171  
 Fotherbye, Rob., 457  
 Fothergill, Leonard, 88; Mr., preacher, 457, 463, 469  
 Fowler, Canon J. T., 1, 77<sup>n</sup>, 473  
 Fox, Edward, 479; Thos., 479  
 Foxley, Rob., 180  
 Franciscans, 61, 67  
 Frankland, John, 461; Thomas, 461  
 Franklinge, John, 79  
 Fraunk, Sir Wm., 242  
 Frebody, Thos., 180  
 Freman, Ric., 462

French, invasion of, 13, 39, 237, 238, 239  
 Frillow, John, 82  
 Fritheby (Firby), Rob. de, 114<sup>n</sup>, 116<sup>n</sup>  
 Friton, 116<sup>n</sup>  
 Froissart, 262  
 Fryston, John, 20, 21; Margt., 21  
 Fugaile, Thos., 103  
 Furnival, Gerard de, 111

## G

Gackson, Mr., 468  
 Gainford, 280, 281  
 Gale, Sir Henry, 132  
 Galtres forest, 138  
 Gamesford, 60  
 Ganio, Ric., 203  
 Ganton, 117  
 Gappe, *see* John Atte  
 Gargrave, 50; Sir John, 420; Sir Richard, 420; Sir Thos., 132, 134, 135<sup>n</sup>, 419, 420  
 Garnet, Thos., 462, 463, 464, 465; Wm., 103  
 Garter, Order of the, 155<sup>n</sup>, 156, 157<sup>n</sup>  
 Gascoigne, arms of, 165; Anne, 134; Sir Henry, 128; Martin, 134; Richard, 134; Sir Wm., 112, 124, 125, 165, 185, 187  
 Gatenby, 88  
 Gates, John, 465, 468, 470, 477, 479; Sir Henry, 465<sup>n</sup>, 477  
 Gateshead, 51  
 Gathorne, John, 472  
 Gaunt, John of, 256; *see also* Lancaster  
 Gaveston, Piers, 195, 196, 197  
 Gawthorpe, 112, 124, 165  
 Geare, Matthew, 473; Thos., 466, 478, 479  
 Geffrard, John de, 197  
 Gelybrend, Ric. chaplain, 61, 63  
 Genealogies, Northumbrian, 55  
 Geoffrey, archbishop, 107, 108  
 Geology, Yorkshire, 31, 482  
 Gerdeston, Thos. de, 204  
 Gerrard, arms of, 165; Sir Ric., 165  
 Gersham, advowson of, 231  
 Gibson, John, 73  
 Gildersome, 40  
 Gilling (Richmondshire), 271, 272, 273, 274, 275, 282, 283, 286, 288, 290, 292, 293, **322**, 330  
 ——— (Ryedale), 20, 21, 105-192 *passim*  
 ——— Castle, 137-192 *passim*; sketch of, 105; plan of, 139; 'great chamber' at, 146; heraldic windows at, 149-170; heraldic frieze at, 170-177  
 ———, East, Hist. of, 19<sup>n</sup>  
 ———, Geri de, 109<sup>n</sup>

Gilling, rector of, 20, 21, 22, 24, 29,  
30, 110, 113, 114, 115, 116, 120,  
178, 179, 189  
Ginge-Margaret, co. Essex, 228  
Giraldus, 32  
Girlington, Nicholas, 184, 470  
Gladwell, Rob., 102  
Glasonbury, co. Cumberland, 280  
Glass, ancient, 149-170  
Gloucester, earl of, 196, 197  
Glover, herald, 19  
Goch, arms of, 167  
Goddard, arms of, 156, 157, 158, 163,  
164, 166; Agnes, 156; John, 156  
Godwin, 53, 58  
Goodwyn, Dr., 475  
Gosforth, co. Cumberland, 322  
Gospatric, 51, 55, 56, 57, 60  
Gotch, J., F.S.A., 151, 153<sup>n</sup>  
Gough, J. G., 123<sup>n</sup>  
Gouthorp, Adam de, 117  
Gower, Nicholas, 184; Robert, 184  
Graham, 205  
Graibarne, Thos., 466  
Graie, Miles, 457, 461, 462, 465  
Graison, Thos., 103  
Gramary, Wm., 179  
Grandison, John de, 226  
Grantham, 206, 207, 208, 209, 220,  
224, 225, 227, 237  
Grattan, Rev. J. B., 67  
Gray, Isabella, 76; Sir Ralph, 76  
Grave, Wm., 100  
Gray's Inn, 88  
Grearson, Thos., 100  
Great Ayton, 271, 272, 273, 274, 280,  
292, **322**  
—— Clifton, co. Cumberland, 280  
—— Edston, 271, 277, 278, **329**  
Green, R. C., 435  
Greenfield, archbishop, 200, 202, 203  
Greenwell, canon, 32, 56, 306, 448,  
485, 486, 487, 488  
Greenwich, East, 192  
Gregges, Wm., 102  
Greison, Oliver, 101  
Getwelle, 205, 229  
Grey, archbishop, 444; George, 85, 88;  
Ralph, 122, 123, 185; Walter de,  
67; Zachary, 85; of Rotherfield,  
arms of, 157  
—— friars, of York, 61  
Griffith, Sir Walter, 184, 186, 191  
Grimshaw, 60  
Grimston, 110, 192; Eliz., nun, 102  
Gromock, John, 100  
Grotian, F. B., 177  
Grymesby, Elias de, 255  
Guisborough, 95, 110<sup>n</sup>, 128; Priory,  
101, 102

## H

Hackness, 270, 274, 277, 278, 279,  
280, 282, 284, 286, 290, 291, 294,  
**329**, 330, 338  
Haddlesey, Thos., 473, 481  
Haldanbi, Francis, 78  
Halifax, 61, 206, 209, 212, 220, 222,  
224, 251, 420  
Hall, John, 457, 462, 463, 464; Mar-  
garet, 191  
Hallidon Hill, 232, 233  
Halsome, 161, 167  
Halton, co. Lancashire, 278, 280, 294  
Hambleton Hills, 138  
Hamelton, arms of, 170  
Hammerton, John, 187  
Hamo the Treasurer, 110<sup>n</sup>  
Hampole, 102  
Harbottle, 169  
Harethorpe, 185, 190, 191  
Haretoft, 186  
Harfourd, Chris., 464, 466  
Harle, Margt., 101  
Harleian Society, 19<sup>n</sup>  
Harold, 52  
Harresone, Chris., 459; Lawrence, 458,  
460, 461, 463, 464, 465, 470, 473,  
475  
Harrington, Alice, 113, 133, 188; Sir  
John, 113, 133  
Harrison, John, 101; Plantag., 19, 30,  
74, 75, 76; Thos., 88, 91  
Hartforth, Chris., 456  
Hartley, Rev. Canon, 84  
Harum, Wm. de, 116<sup>n</sup>  
Hastings, Castle, 236, 239; Sir Edmund,  
123  
Hastynges, Edmund, 181, 184  
Haukeston, Thos. de, 258, 260  
Haulton, 210  
Hauxwell, 269, 271, 276, 278, 287, 288,  
**330**  
Havercroft, 419  
Hawnby, 20; rector of, 120  
Haworth, 33, 35, 36, 39, 40, 43  
Haxeholme, 214  
Hazlewood, 131<sup>n</sup>  
Headingley, by Leeds, 428  
Healaugh Priory, 156  
Heathfield, Henry, 433  
Heaton, Francis, 425  
Hebson, Wm., 28, 29  
Hellebeckes, John de, 117  
Helmsley, 138, 144, 180, 191, 192, 271,  
330  
Helperby, 58  
Hemingborough, 102  
Hemingboro', John de, 204  
Hemsworth, 419, 424; Stephen, 101  
Henry, abbot of Byland, 114  
Hepworth, 418

- Heraldry, 61, 67, 74*n*, 84, 106, 118, 121, 124*n*, 133, 137, 144, 147-177 *passim*, 415, 416, 417, 420, 423, 433, 454  
 Herbert, lord and lady, 131  
 Hereford, earl of, 197  
 Herle, Wm., 207, 208  
 Herrison, Wm., 461  
 Hertford, earl of, *see* Gloucester, earl of  
 Hertforthlyth, 184, 186  
 Heshete, chapel of, 253  
 Heskett, John, 79  
 Heustrenge, 227, 235  
 Hewett, George, 191; Thomas, 104  
 Hexham, 122, 125  
 Heysham, co. Lancashire, 275, 276, 278, 280, 282  
 Heytefelde (Hatfield, co. Yorks.), 206, 209, 212, 213, 219, 220, 233, 242, 245, 246, 247, 251, 255, 258, 259  
 Hickelton, 418  
 Hickington, Rev Peter, 81  
 Hickling, co. Notts., 276  
 Hiendley, South, 419, 425  
 Higdon, John, 456, 467, 469, 473, 475, 478; Ralph, 472  
 High Hawksker, 293*n*, 330  
 Hildesley, Sir Francis, 478, 479  
 Hill, John, 192  
 Hochinson Rob., 103  
 Hoddam, 278  
 Hode, near Byland, 107  
 Hodges, C. C., 146*n*  
 Hodgeson, Wm., monk, 101  
 Hodgson, Geo., 79  
 Hoghton, 210  
 Holcroft, Isabel, 144*n*  
 Holden, Thos., 102  
 Holderness, 125  
 Holland, arms of, 147, 159; Francis, lord, 157*n*; Isabel de, 249, 250, 251, 252, 254, 264; Maud de, 254; Otes de, 254; Robert, 212, 254; Robert de, 102, 251  
 Holme, 453; South, 115*n*, 117  
 Holmes, Wm., 192  
 Holmfirth, 39, 50, 60, 260  
 Holmside, 74  
 Holt Castle, *see* Castro Leonis  
 Homsett, *see* Holmside  
 Hooppur, Wm., 472  
 Hope, co. Chester, 245; W. H. St. J., 155*n*, 157*n*, 158*n*, 169*n*, 435*n*  
 Horcliff, Wm., 419  
 Hornby, 119, 120; co. Lancashire, 278, 292, 337  
 Horncastle, co. Lincoln, 421  
 Horne, family, 417-434; pedigree of, 424, 425; Alex., 425, 428, 429, 430; Alvin, 417; Anne, 419, 425; Benjamin, 424, 425, 429, 430; Cotton, 419, 420, 421, 424, 425; Elizabeth, 419, 424, 428, 430, 431, 432; Francis, 419, 424, 434; Henry, 424; Hugh, 418; J. Fletcher, M.D., 417; Jenet, 419; John, 420, 424, 427, 428; Judith, 420, 421, 424, 425, 430, 431, 432, 433; Mary, 419, 421, 424, 425; Richard, 418, 419, 424; Sarah, 425, 430, 431, 432, 433; Thomas, 421, 424, 427; William, 419, 420, 421, 422, 423, 424, 425, 426, 428, 430, 431, 432, 433, 434  
 Hornsey, Francis, 79  
 Hornthwaite, 418  
 Horsley, Wm., 192  
 Horstedekeynes, church of, 240  
 Hosclif, Sir Barnard, 419  
 Hospitallers, Knights, 246, 248  
 Hotcheson, Wm., 463  
 Hoton, John de, 23, 259  
 'Hotspur,' 143  
 Houndedene, 206, 209, 221, 251  
 Howard, Rob., 472  
 Hovingham, 115*n*, 120, 191*n*, 269, 270, 277, 278, 279, 281, 283, 284, 291, 292, 294, 337  
 Howard, arms of, 164; Alatheia, 113, 137, 164; Sir Philip, 113, 137, 164  
 Howden, 103; churchwardens' accounts of, 454-481; townships of, 457  
 Howgrave, 453  
 Howsham, 113, 136  
 Huddersfield, 58  
 Huddleston, Adam de, 212  
 Hugh, Henry, of Ravensworth, 169; Ralph, 169; *see also* Fitz Hugh  
 Hull, 126, 217, 487; bishop of, 101*n*  
 Hullbrig, 102  
 Hungate, Jane, 131*n*, 133*n*; Thos., 190; Wm., of Saxton, 131, 133*n*, 134  
 Hunmanby, British burial at, 482  
 Hunsdon, Henry, lord, 132  
 Hunsingouer, 179  
 Hunter, W. S., 137*n*, 138*n*, 140  
 Huntingdon, Henry, earl of, 134; Wm., earl of, 235, 237, 243, 245, 250, 252  
 Huntingors, 20  
 Hunton, Wm., 88  
 Hutton, Cuthbert, 74*n*  
 ——— Cranswick, 107, 110  
 ——— Magna, 73  
 Hyde, Ric. de la, 255, 257  
 Hyperom, 234

Igmanthorpe, 149  
 Ilkley, 287  
 Indulgences, 61  
 Ingleby Arncliffe, 276, 287, 337  
 Ingham, Dr., 36; Oliver de, 215  
 Invasion, *see* French  
 Ipswich, 237  
 Iveson, Anthony, 104  
 Ivo de Elton, 19, 20, 21

## J

Jackson, Sir John, 473; Ric., 479;  
 Rob., 479  
 Jacourt, John de, 253  
 James, Thos., 82  
 Jaques, Leonard, of Easby, 315  
 Jaron, 210  
 Jeffraison, Thomas, 103  
 Jenkinson, Edward, 419; Isabell, nun,  
 102  
 Jennett, Bernard, 419  
 Jenny, Chris., 130  
 Jobson, Walter, 478  
 John alte Gappe, 28  
 —, vicar of Hunsingouer, 179  
 Johnson, Edw., 461; Martha, 472;  
 Rob., 465; Wm., 464, 481  
 Jordan, Bernard, 217  
 Jubb, Thos., registrar, 81, 82, 83

## K

Kaneford, co. Dorset, *see* Canford  
 Kedholme Priory, 100, 111  
 Keighley, 33, 40  
 Kelsey, South, 1  
 Kelsterne, 242  
 Kent, Benjamin, 428, 429, 433; earl  
 of, 13, 30, 229; Edm., earl of,  
 214, 229, 230; John, 462  
 Kenyngton, 206, 207, 208  
 Kepsthorpe, 59  
 Key, John, 103  
 Kildale, 272, 338  
 Killingbecke, John, 428, 429, 431  
 Kilvington, North, 75  
 Kingswinford, 214  
 Kinnell (Scotland), 282  
 Kinsley Park, 419, 424  
 Kirckbikno, 168  
 Kirkburton, 418, 426*n*  
 Kirk Maughold (Isle of Man), 282  
 Kirkby Hili, 97, 269, 270, 271, 272,  
 274, 277, 282, 284, 285, 286, 287,  
 289, 292, 315, **338**, 343, 407  
 —in-Cleveland, 273, 338  
 —Knowle, 268  
 —Malzeard, 60, 120

Kirkby Misperton, 270, 276, 277, 278,  
 285, 286, 287, 294, **343**  
 —Ravensworth, 98  
 —Stephen, 277, 280, 281, 371, 385  
 Kirkby's Inquest, 43, 106*n*, 115  
 Kirkbye, 459  
 Kirkbymoorside, 270, 271, 273, 277,  
 287, 288, 291, **343**  
 Kirkdale, 270, 271, 272, 273, 277, 278,  
 280, 281, 284, 286, 287, 291, **344**,  
 371  
 Kirkeby, John de, 245; Robert de,  
 114*n*  
 Kirkham Abbey, 101, 128  
 Kirklevington, 269, 270, 271, 272, 273,  
 275, 279, 280, 281, 282, 285, 286,  
 287, 288, 289, 293, **344**, 351, 352,  
 371, 372, 385, 401, 408  
 Kirklington, 89  
 Kirkstall Abbey, 3, 101, 330  
 Kitchingman, Joseph, 425, 433  
 Kitson, Wm., 23  
 Knaresborough, 60, 61, 216; St.  
 Robert of, 61, 63  
 Knighte, Dorothy, prioress, 102  
 Knollys, Sir Francis, 131, 132  
 Kyblyngcotes, 180  
 Kyrkbic, Rob., 100  
 Kyrkeburn, 180  
 Kymere, 206, 209, 221, 251  
 Kympe, John, 419

## L

Lacy, Alice, 196; Henry de, 196;  
 Ilbert de, 52, 56  
 Lambert, Grace, 76, 77; Robert, 75, 76  
 Lancashire, 31  
 Lancaster, arms of, 170; countess of,  
 210, 211, 215; cross at, 280, 289,  
 306, 351; duke of, 119, 120, *see*  
*also* Gaunt; Henry, earl of, 227,  
 228; Thos., earl of, 196, 197, 209,  
 210, 211, 212, 213, 214, 215, 216,  
 219, 234  
 Langdale, arms of, 106; Peter, 478  
 Langdon, John, 28, 29  
 Langele, Edmund de, 260  
 Langer, John, 466  
 Langley, Castle, 139; John, 121*n*  
 Lanivet, co. Cornwall, 276  
 Lascelles, arms of, 161, 163, 166, 168,  
 169; Anise, 168; John, 168, 213;  
 Roger, of Kirckbikno, 168; Robert,  
 184; William, 114, 168  
 Laskew, Wm., 137  
 Lastingham, 269, 270, 272, 274, 275,  
 276, 277, 282, 284, 285, 286, 287,  
 290, 291, 293, 330, **352**, 359, 372  
 Laton, John, 121  
 Latymer, Wm. le, 114*n*, 197

Lavening, John, 184  
 Laverock, Robert, 101  
 Lawson, Sir Geo., 127  
 Lawton, 88  
 Lawtye, Mr., preacher, 465, 470, 471, 472  
 Laxton, co. Notts., 121, 133, 160, 181  
 Laycester, Roger, 111, 114  
 Laythorp, 114  
 Layton, Sir Thos., 137  
 Leach, A. F., F.S.A., 177  
 Leadman, Alex., F.S.A., 215"  
 Lee, William, 103"  
 Leedes, Chris., 100  
 Leeds, 31, 38, 39, 40, 42, 46, 52, 85, 103, 306, 385, 393, 421, 424, 433  
 Leeming Street, 88  
 Leicester, Beaumont, earl of, 158;  
     Dudley, earl of, 135, 420; earl of (1326), 225  
 Lenfeld, James, 99  
 Lestrangle, John, 238  
 Letters of Fraternity, 61  
 Levett, John, 102  
 Levisham, 271, 275, 282, 283, 293, **360**  
 Lewes, 206, 207, 209, 214, 221, 230, 232, 236, 239, 240, 247, 251, 253, 254, 264  
 Lewins, Lucian, 421, 425, 431  
 Lighton, John, 101; Roger, 481  
 Lilling, Paulin de, 116"  
 Lincoln, Cathedral, 440; earl of, 196;  
     John de, friar, 248  
 L'Isle, lord de, 217  
 Lister, J., 61  
 Lokynton, co. Wilts., 258  
 Londesborough Church, 81  
 Long, Julian, 473  
 Longstaffe, W. H. D., 157", 299  
 Loudham, arms of, 157, 158; Isabel, 157"; John, 157"  
 Louth, Thos., 212  
 Louthier, Adam de, 115, 116  
 Lovell, arms of, 157, 159, 160, 163, 164, 166; Sir Francis, 157", 158"; Joan, 158"; Richard, 207; Roger, 192  
 Lovetot, Matilda, 111  
 Lowther (Westmorland), 276, 282;  
     John, 461  
 Lucas, Alex., 418  
 Luffenham, co. Rutland, 133, 158  
 Lukis, Rev. W. C., 407  
 Lumley, Castle, 143; George, 127;  
     Ralph, 143  
 Lusteshalle, Richard de, 207  
 Lyndrige, Walter de, 236  
 Lynne, Robert de, 243  
 Lynton, Thos., attorney, 23, 24, 27  
 Lyon, Isabell, prioress, 100

## M

Macalister, Prof., 446  
 Machell, Marmaduke, 467, 478, 481;  
     Mr., 466, 467, 468, 470  
 Maen-y-Chwyfan, 288  
 Malbis, 19; arms of, 160, 162, 163, 164, 166; John, 20; Ric., 19, 24, 25, 27, 28, 29, 30; Sibil, *see* Neville; Walter, 29; Wm., 19, 20, 27, 28, 29, 30, 162, 179, 183  
 Malcheton, 60  
 Mallory, Sir Wm., 135, 184  
 Malham, 42  
 Malmesbury, 212  
 Malo Lacu, Margaret, 231; Peter de, 231; Robert de, 259  
 Malton, 101, 103, 109", 114, 115, 126, 128, 183, 184"  
 Manfield, Thos., 79  
 Manners, Edw., 144"  
 March, earl of, 263  
 Markenfield, arms of, 170  
 Market Deeping, 288  
     — Weighton, 486, 487  
 Markham, C. R., 123"  
 Marlborough, 67, 72  
 Marshall, James, 473; John, 101, 467;  
     Rev. J. M., 306; Wm., 187, 461, 468, 471  
 Marshe, Thos., monk, 101  
 Marston, 20, 21, 23  
 Marton, Mr., 469  
 Mary, Princess (1278-1332), 244, 245, 264  
 Mascal, Margt., 478, 479; Ric., 479  
 Masham, 269, 270, 272, 274, 277, 278, 279, 281, 283, 284, 287, 291, 292, 337, **360**  
 Maskall, Nicholas, 424, 433  
 Mason, Elizabeth, 461; Francis, 458, 463; John, 460, 461  
 Matthew, Dr. Toby, 85, 458"  
 Maule, Robert de, 255  
 Mauleverer, John, 185; Robert, 180  
 Mauley, arms of, 162"; Constance, 20, 21, 162"; lord, 19, 21  
 Maunsel, Geoff., 107, 108; Odard le, 107, 108  
 Mautravers, John, 229  
 Mawe, Eliz., 462, 463, 464; Ric., 458, 463, 464, 468  
 McCall, H. B., 84  
 Meaux, 101, 107, 110, 211; Alex., abbot of, 110  
 Mechynge, 206, 209, 221, 251  
 Medmenham, 245  
 Meglinger, 17  
 Melmerby, 453  
 Melsonby, 270, 275, 280, 281, 282, 283, 284, 287, 292, **360**, 371



Melton, W. de, 202  
 Merlswan, 53, 56  
 Metham, arms of, 169; Agnes, 170;  
     John, 170; Mr., 460, 462, 466,  
     467, 468, 469, 470; Thomas, 170;  
     Sir Thomas, 455, 456, 470  
 Mexborough, 417, 420, 422, 428, 429,  
     432; church of, 421, 422, 426  
     427, 428, 431, 432, 434  
 Meynell, Roger, 75, 76; Thomas, 77  
 Middeltone, 206, 209, 221, 251  
 Middleham, 105, 271, 282, 371, 372  
 Middleton, 269, 271, 272, 273, 274,  
     275, 279, 280, 281, 285, 286, 288,  
     291, 293, **371**, 393; Brian, 187;  
     Gilbert de, 205; Margaret, 185,  
     186; Petrus de, 57; Robert, 185;  
     Thomas, 186  
 ——— Quernhow, 453, 454  
 Midhope, 418  
 Middleton, Geo., 192  
 Milford, 58  
 Milley, Nicholas, 2, 3, 4, 12*n*, 16, 17  
 Mirfield, 42  
 Monckton, Sir Philip, 470, 471, 481  
 Monfort, Sir Alex., 203  
 Monte Acuto, Wm. de, 236  
 ——— Hermerii, Ralph de, 202  
 Mooke, Thos., monk, 101  
 Moorhouse, co. York, 425  
 Morcar, 52  
 Moresby, Rob., 12, 180, 181  
 Moreton, John, 23; Wm., 478  
 Morley, arms of, 167  
 Morrell, Ric., 464  
 Morris, John, 102; John, monk, 101;  
     J. E., 267, 329, 352, 380; Rob.,  
     470  
 Morteribie, Jane, 191  
 Mortham, 416  
 Mortimer, J. R., 32, 446, 486, 487,  
     488; Ralph, 106; Roger, 214,  
     226, 229, 262  
 Morton, Ric., 23  
 Moryn, Sir John, 183  
 Morys, Wm., 23  
 Mosele, Ric. de, 220, 222  
 Moseley, Henry de, 217  
 Moubray, John de, 214  
 Mount Grace Priory, 101, 128  
 Mowbray, arms of, 164, 165; Roger  
     de, 111, 115; of Thirsk, 106  
 Muncaster, 76  
 Munketon, near Rypon, 204  
 Musgrave, Cuthbert, 478, 479; Michael,  
     471, 472; Simon, 473  
 Mycenae, 449  
 Mydelwood, Grace, 460; Richard, 460  
 Myldmay, Sir Walter, 104

## N

Names, pre-conquest, 53  
 Nassington, John, 200; Philip, 200  
 Nelson, Robert, 478, 479  
 Nendicke, Wm., 192  
 Nerford, Maud, 198, 199*n*, 203, 204,  
     205, 208, 209, 210, 219, 222, 223,  
     230, 245, 246, 247, 248; Thos.  
     de, 216, 242  
 Nessefeld, Wm. de, 120*n*  
 Neston (Cheshire), 293  
 Neusum, Juliana de, 111; Nicholas de,  
     114*n*  
 Neville, arms of, 21, 161, 163, 165,  
     166; Sir Alex., 20, 26, 27, 28, 29,  
     30; Catherine, 19, 20; Eleanor,  
     143, 159; Humphrey, 122, 123,  
     181, 182, 183; John de, 119, 120,  
     122, 143; lord, 21, 120, 143;  
     Matilda, 143; Ralph, 30, 121,  
     122; Ralph, earl of Westmorland,  
     159*n*; Ralph, of Thornton Bridge,  
     161, 165; Robert de, 119, 120;  
     Sibilla, 20, 26, 27, 28, 29, 30;  
     Thomas, 122; Thos., clerk, 182,  
     183  
 Newark, 85; Roger, 103  
 Newborough, 149  
 Newburgh Abbey, 100, 114, 128  
 Newby, Roger, 473  
 Newcastle, Antiquaries, 73; Friars  
     Preachers of, 241  
 Newflet, 259  
 Newmarket, 197  
 Newmarsh, Nichola, 418; Randolph, 418  
 Newton, Richard, 121  
 ——— under-Roseberry, 268  
 Nidderdale, 46, 120  
 Norfolk, duke of, 126, 127, 128, 129,  
     130, 133; Eliz., duchess of, 181;  
     Robert, 419; Samuel, 425  
 Norman, Peter, 471  
 Normanton, 203  
 North, Council in the; *see* Council  
 Northallerton, 50, 52, 269, 270, 271,  
     272, 274, 284, 286, 288, 290, 291,  
     372  
 Northampton, earl of, 237, 243, 252;  
     Walter de, 115, 116  
 Northburgh, Roger de, 207  
 Northleverton, 181  
 North Riding, map of, 266; pre-con-  
     quest stones of, 267  
 Northsee, 206, 221, 251  
 Northumberland, earl of, 124, 126*n*,  
     128, 131, 132; duke of, 76  
 Northwode, John, 112, 180, 181  
 Norton, Wm., 27, 28  
 ——— Conyers, 454  
 Norwich, 204  
 Norwyco, Walter de, 223

Nostell, 101, 420  
 Notkey, John, 102  
 Notton, Wm. de, 247  
 Nunappleton, 102, 113, 123  
 Nunkeeling, 102

## O

Oakworth, 33, 34, 37, 38, 40, 43, 48, 49  
 Odo, 51  
 Offord, John de, 250, 259  
 Ogleshorpe, John, 184  
 Okes, Thos., 473  
 Oketon, Sir John de, 114*n*  
 Okton, Albreia, 107; Robert de, 107  
 Old Byland, *see* Byland, Old  
 Oldfield, John, 472; Nicholas, 462, 464, 469  
 Oliver's 'Beverley,' 488  
 Olysford, Richard de, 114*n*  
 Orange, Vienne, bishop of, 226  
 Orm [T. R. E.], 106  
 Ormesby, 269, 271, 285, 289, **379**  
 Ormside Cup, 283, 290, 291, 372  
 Osburn, Rob., 478  
 Osliffe, Bernard, chantry priest, 419  
 Osgodby, 79*n*  
 Osmotherley, 271, 273, 274, 276, 285, 286, 287, 288, 291, **380**  
 Oswaldkirk, 116*n*, 120, 180, 276, 279, 282, 286, **380**  
 Otley, 286, 420  
 Otrewycke, St. Martin's Church, 228  
 Otterington, North, 271, 273, 280, 281, 282, 287, 292, 293, **379**  
 Oughton, 75  
 Outre-aube, 4, 14*n*, 16, 17  
 Ovesham, co. Essex, 228  
 Oyri, arms of, 167; Adela, 167; Fulco, 167; Godfrey, 167; William, 167

## P

Page, Wm., F.S.A., 150*n*  
 Pallmen, Ric., 471  
 Palmes, Brian, 187; Guy, 112, 124, 128, 166, 187; Jane, 112, 124, 125, 132; Nicholas, 187  
 Par, Thos., 187  
 Pardons, Yorkshire, 61, 248  
 Parker, Elizabeth, 420; Mr., 482, 487; Thos., 187  
 Parkin, James, 472  
 Parliament, 135, 181, 182, 420, 465*n*  
 Patrick, Laurence, 479  
 Peacock, Edw., F.S.A., 135*n*, 144  
 Peak, High, 195, 199  
 Pearce, Dr., 46  
 Pearson, Edw., 456, 457, 465, 467; Mr., preacher, 460, 462, 465, 467; Wm., 456  
 Peckham, 206, 209, 221, 240, 251

Pembroke, earl of, 197, 209, 214  
 Pennington, Joyce, 76; William, 76  
 Penrith, 322  
 Penynngton, Francis, 466, 478  
 Percy, family, 57; Henry, 225, 240; Lady Margt., 124; Sir Thos., 126, 127, 128, 129, 143; Walter de, 111; William de, 239  
 Perth, 195  
 Petche, John, 458, 459, 461, 462, 463, 464, 465, 470; William, 458, 459  
 Peterborough, 278, 292, 337  
 Petwardine, Nicholas, 478  
 Peverel, Wm., of the Peak, 195  
 Phelip, arms of, 158; Sir Wm., 158*n*  
 Philippa, Queen, 242, 246, 256, 258, 259, 260, 261, 263  
 Phillips, Prof., 31, 59  
 Phillipson, Chris., 78  
 Picardy, 26  
 Pickering, 99, 275, 282, 288, 293, **380**; Jane, 85; John de, 120, 186, 187; Mark, 85  
 Pickhill, 269, 271, 275, 276, 279, 281, 282, 288, 292, 293, **360**, 385, 453  
 Pickles, Rob., 425  
 Picoumbe, 206, 209, 221, 251  
 Piercebridge, 73  
 Pigott, Chas. Gregory, 137; Lavinia, 137  
 'Pilgrimage of Grace', the, 125-130, 131*n*  
 Pindsley, Rob., 481  
 Pinkney, Chris., 99  
 Pitt, Francis, 419  
 Plantagenet, Edmund, 255, 256, 257, 258, 259, 260, 261, 264; Lionel, 255, 256; *see also* Gaunt and Geoffrey  
 Pocklington, Thos., 470  
 Poitiers, 119  
 Poking, 212  
 Pole, Griffith de la, 212; Richard de la, 217  
 Pollington, arms of, 170  
 Ponsonby, Rob., 98  
 Pontefract, 101, 125, 126, 127, 128, 130*n*, 196, 213, 214, 215, 216, 231, 418, 420  
 Poppleton, 60  
 Potter, Mary, 429  
 Potts, Thos., 481  
 Powell, arms of, 167  
 Prestcote, 30; rector of, 120  
 Preston, 51; John, 27  
 Prettywell, co. Essex, 228  
 Prior, E. S., 435*n*  
 Pritchett, H. D., 415  
 Proprietors, *temp.* Edw. Conf., 53  
 Prudhoe, 74  
 Purey Cust, Very Rev. A. P., 118*n*  
 Purseglove, Ric., prior, 101  
 Pydinghowe, 206, 209, 221, 251

## R

Rabon, Roger, 116#  
 Raby, 30, 120, 143  
 Radcliffe, of Dilston, 74; Hugh, 185;  
     Robert, 185; Roger, 185  
 Radmeld, 221, 251  
 Raibie, John, 465  
 Raine, Chancellor, 177, 204#  
 Rainfourth, George, 468; Gregory, 478  
 Rastrick, 234  
 Rasyn, Rob., 27  
 Ratcliffe, Anne, 74; Sir Edw., 74  
 Ravensthorpe, Jordan de, 109  
 Raynie, Henry, 419  
 Rea, Thos., 465  
 Read, C. H., 488  
 Redcar, 190  
 Rede, John, 186  
 Redemelde, 206, 209  
 Redesdale, 74; Robin of, 123  
 Reigate, 206, 209, 210, 220, 221, 251  
 Religion of Ancient Britons, 446-452  
 Religious, the, in 1573, 100-104  
 Remington, Richard, 475, 476  
 Rempston, arms of, 157, 158, 160, 163,  
     164, 166; Isabel, 157, 158#;  
     Thomas, 157  
 Reppes, Robert de, 203  
 Revaux, John, chaplain, 121  
 Reycross, 269, 385  
 Reynolds, W., archbishop of Canter-  
     bury, 199  
 Ribblesdale, 40  
 Richard, bishop of London, 209; of  
     Knaresborough, 61, 64  
 Richeburne, Thos. de, 111  
 Richmond, arms of, 170; castle, 105;  
     earl of, 196; *see also* Brittany  
 Richmondshire, 56, 57, 73, 76#, 115,  
     216  
 Riddesdale, John, 103  
 Riveaulx Abbey, 101, 114, 128, 185  
 Rineworth, 234  
 Ringrose, Roger, 192  
 Ringstede, Ric., 205  
 Ripley, 85  
 Riplingham, Robert de, 204  
 Ripon, 33, 38, 40, 46, 57, 184, 186,  
     204, 276, 291, 467  
 'Rising in the North,' the, 131, 132  
 Robert of Knaresborough, 63, 65, 67  
 Robesoun, Ralph, 471  
 Robinson, Arthur, 477, 481; George,  
     472; Matthew, 85, 93, 94; Robert,  
     478; Thomas, 85  
 Roche Abbey, 245, 246, 247, 259  
 Rochester Keep, 139#  
 Rockliffe, co. Cumberland, 322  
 Roccliffe, Roucliff, of Colthorpe, 19,  
     163; pedigree of, 30; David, 120;  
     John, 20, 30, 162, 187; Robert,

    20, 21, 112, 180, 181; Thomas,  
     28, 30  
 Roger, archbishop, 57  
 Rokeby, 85, 416, 453; Mr., 132; Thos.,  
     416  
 Rokkes, Wm., 191  
 Rookebie, Wm., 478  
 Roos, arms of, 149; Alice, 160; Fran-  
     cis, 133, 160; James, 184; John,  
     lord de, 121, 122, 180, 181; of  
     Igmanthorpe, 149  
 Roses, Wars of the, 122, 123, 182  
 Ross, Geo., 192  
 Rosse, Robert, 192  
 Rosyngton, advowson of, 231  
 Rotherham, 39  
 Rothesay, 288  
 Rothwell, Wm. de, 203  
 Rothynge, High, 228  
 Rottyndene, 206, 209, 221, 251  
 Roue, Anthony, auditor, 104  
 Rouen Cathedral, 444#  
 Routhe, Peter de, 260  
 Rowe, Rev. G., 305; J. H., M.D., 31,  
     39, 43, 46  
 Roxburgh Castle, 121  
 Rudston, 184, 186, 190, 191  
 Rusbie, Rob., priest, 102  
 Rusholme, co. York, 421, 425  
 Russell, Ric., 230  
 Ruthwell, 274, 279, 359  
 Rutland, earl of, 144#  
 Ryedale Wapentake, 105, 111, 135  
 Ryhill, 419  
 Ryver, John de la, 118

## S

Saddleworth, 39  
 Sadler, Sir Ralph, 131; Richard, 88  
 Salisbury, earl of, 122, 227, 230, 236  
 Salmon, bishop, 205  
 Saltmarshe, family, 462#; John, 75;  
     Margaret, 76; Philip, 472; Robert,  
     456  
 Salvein, Gerrard, 212  
 Sandal Castle, 196, 200, 201, 206, 208,  
     209, 211, 212, 220, 222, 224, 228,  
     241, 251, 255, 258, 260  
 ———, Edward, 103; Edw., monk, 101;  
     Hugh de, 241; John de, 199; Wm.  
     de, 241  
 Sandbach, 279  
 Sandes, Cicely, 473, 474, 475; Mr.,  
     456; Sir Samuel, 476, 481  
 Saunders, Chris., 101  
 Savile, Sir John, 475  
 Savill, Barron, 469  
 Saxton, Isabella, 22-29 *passim*; Nicholas,  
     22, 23, 24, 25, 26, 27, 29  
 Sayer, John, 134  
 St. Asaph's, 77

- St. Bees, Cornwall, 277, 338  
 St. Bernard, Life of, 1  
     — of Clairvaux, 1-18 *passim*  
 St. Cuthbert, altar of, Durham, 254  
 St. John of Jerusalem, *see* Hospitallers  
 St. Philibert, arms of, 156, 157, 163,  
     164, 166; Alice, 156; John, 156  
 St. Quintin, arms of, 168  
 Scarborough, 105, 130, 197  
 Scargill, Warein de, 212; Wm. de, 232,  
     233  
 Scawton, 22, 23, 25, 27, 29, 185, 186,  
     191; Robert, 121  
 Scorbroughe, Steven, 457, 459, 460,  
     463, 464, 466  
 Scott, John, 179, 472  
 Scrayingham, 134*n*, 136  
 Scrope, archbishop, 22*n*; Dorothy, 77;  
     Elizabeth, 158; Francis, 75, 76;  
     Geoffrey le, 207, 208, 223; Lord,  
     158; Richard, lord, 143  
 Sculpture, Anglian and Anglo-Danish,  
     267-413  
 Seale, Mr., preacher, 466  
 Seals, *see* Heraldry  
 Seamer, 465*n*, 486  
 Seaton, co. Cumberland, 76  
     — Carew, 75  
 Sedbergh, 127  
 See, William, 103  
 Seforde, 206, 209, 221, 251  
 Segrave, Nichol, 213; Stephen, 212  
 Selby Abbey, 101  
 Sharrowe, Thos., 102  
 Shawe, Bullie, 467  
 Shelford, 181  
 Sheppard, Thos., F.G.S., 482  
 Sherburn, 50, 184, 185, 186  
 Sherburne, arms of, 165*n*, 166; Elizabeth,  
     113, 124; Hugh, 187; Richard,  
     185, 187; Sir Robert, 113, 124,  
     166, 185; Thomas, 185  
 Shercroft wiffe, 457  
 Sheriff Hutton, 102, 129, 185, 186  
 Shewte, Thos., 101  
 Shippinge, Ric., monk, 101  
 Shireneston, 227, 258  
 Shrewsbury, earl of, 125  
 Simeon of Durham, 50, 51, 55  
 Sinderby, John de, 23  
 Singleton, Roger, 185  
 Sinnington, 271, 272, 280, 281, 282,  
     283, 286, 287, 288, 293, **385**, 386  
 Skaife, R. H., 19, 20, 22, 29, 30, 123*n*,  
     177  
 Skelton-in-Cleveland, 277, 278, 386,  
     475, 477  
 Skerne, near Driffeld, 107, 110; Odard  
     de, 108, 109  
 Skewby, 78  
 Keynes, Thos., 431, 432  
 Skipton, 61  
 Skipwith moor, 125, 143  
 Slater, Richard, 460  
 Slinger, Anthony, 79; Henry, 79  
 Slingsby, 114; Rev. C. S., 61  
 Smith, Reginald A., 283  
 Smithson, Hugh, 76  
 Smythe, John, 461; Thomas, 467, 476,  
     478, 479, 481  
 Snapethorpe, 420  
 Snawsell, Seth, 184  
 Sneiton, Agnes, nun, 102  
 Sneue, John, monk, 101  
 Snyderall, Ric., priest, 102  
 Soland, 234  
 Somerset, Sir Charles, 123, 184; duke  
     of, 123, 182; John, earl of, 26  
 Sossacre, 60  
 Souresby, 206, 209, 220, 222, 224, 232,  
     234, 251, 258, 260  
 South Hiendley, *see* Hiendley, South  
     — Holme, 115*n*, 117, 122  
     — Kelsey, *see* Kelsey  
 Speight, Harry, 59  
 Spennithorne, 75, 279, 280, 287, 288,  
     **393**  
 Sprot, John, chaplain, 252  
 Sproxton, Robert de, 183; Wm., 120,  
     121  
 Stafford, Margt., 122  
 Staingrive, Sir Peter de, 114  
 Stainley, 57  
 Stainton, 271, 272, 273, 275, 280, 288,  
     291, 293, **393**  
 Stamper, Laurence, 457  
 Standishe, Ellen, nun, 102  
 Stanes, Wm. de, 200  
 Stanihirste, 166  
 Stanton, Henry de, 223  
 Stanweys, 73  
 Stanwick, 73, 74, 75, 76, 79, 132, 269,  
     270, 271, 273, 275, 277, 279, 280,  
     281, 282, 283, 285, 286, 287, 288,  
     291, 292, 293, 330, 372, **393**, 394  
 Stapleford, co. Notts., 288  
 Stapleton, arms of, 147, 149, 151, 154,  
     155, 156, 157, 158, 159, 160, 163,  
     164, 166, 170; Brian, of Burton  
     Joyce, 113, 133, 160; Brian, of  
     Carlton, 133, 134*n*, 155*n*, 156, 157,  
     158, 159; Catherine, 136, 137;  
     George, of Rempston, 160; Gilbert,  
     154, 155; Jane, 113, 133, 134, 160;  
     Miles, 154, 155; Miles, of Bedale,  
     155; Miles, of Wighill, 156;  
     Nicholas, 154, 155; Sir Richard,  
     134, 158, 159; Richard, priest, 103;  
     Robert, 136, 137; Thomas, 157  
 Starkie, Edmund, 61  
 Startforth, 394  
 Statter, Dr., 420  
 Staunford, 206, 207, 208, 209, 220, 224,  
     225, 227, 237

Staveley, 57  
 Stayner, Wm., 461  
 Stead, Ephraim, 472  
 Stede, Chris., 102  
 Steddye, Geo., 467  
 Stedeham, church of, 253  
 Steeton, 123, 128  
 Stephens, Prof. Geo., 402, 413  
 Stephenson, Rob., 479, 481  
 Stevens, Edward, 468  
 Steyngref, rector of, 180  
 Stillingfleet, Rev. E. W., 485, 488  
 Stokes, Robert, 184, 187  
 Stokesley, 103  
 Stone, sculptured, found at York, 435  
 Stonegrave, 269, 271, 273, 274, 275,  
     279, 280, 281, 282, 285, 286, 287,  
     288, 293, 344, **401**, 402  
 Stones, sculptured, of North Riding,  
     267-413  
 Stonner, Wm., 457, 458, 459, 460  
 Stonyhurst, 124  
 Storme, John, 459; Thos., 465; Wm.,  
     479  
 Stratford, John, archbishop of Canter-  
     bury, 234; John de, 217, 237  
 Stratherne, earldom of, 233, 234;  
     Malisius, earl of, 233  
 Stratton, Adam de, 240  
 Stroxton, co. Lincolnshire, 421, 424  
 Sturmy, Albriged, 168; John, 168  
 Stuteville, family, 106, 107; Nicholas  
     de, 110, 111; Robert de, 107, 111  
 Styllington, 187  
 Sublyngham, co. Essex, 229  
 Suffolk, duke of, 187  
 Surdeval, John de, 110; Ralph de, 109;  
     William de, 110, 111  
 Surnames, Yorkshire, 455  
 Surrey, earl of, *see* Warenne  
 Sussex, earl of, 131, 132  
 Sutton, arms of, 156, 157; Harrington,  
     190; Sir Henry, 133; Thomas, 472  
 Sutton Howgrave, 453  
 Swaine, Edw., 103  
 Swaledale, 38, 42, 50  
 Swane, Wm., 102  
 Swanescom, co. Kent, 229  
 Swinburne, Henry, 475, 476  
 Swine Abbey, 102  
 Swyllyngton, Adam de, 212  
 Swynborne, 475  
 Swynnerton, Roger de, 235  
 Sykes, John, 421, 424; Richard, 421;  
     Sir Tatton, 171  
 ——— dike, near Carlisle, 472

## T

Tadcaster, 60, 102, 443  
 Taller, Thos., 458  
 Tancarville, earl of, 263

Tanfield, John, 88; Thos., 121  
 Tange, Andrew de, 203  
 Tankard, Ralph, 192  
 Tasburgh, arms of, 171  
 Tatam, Wm., 103  
 Tattershall Tower, 138  
 Taylor, Thos., 462, 469, 470  
 Tayton, John, 191  
 Teesdale, 42, 50, 51  
 Telfers, Sir James, 467  
 Tempest, Anne, 74<sup>n</sup>; Elizabeth, 75, 76;  
     Grace, 74<sup>n</sup>; Mrs., 61; Roland, 74  
 Templars, Knights, 117  
 Templehirst, 117  
 Tewer, Thos., 190  
 Thackwray, Wm., 478  
 Theakston, 88  
 Thetford Priory, 230, 231, 236  
 Thikhed Priory, 100  
 Thirburgh, 432, 433  
 Thirkelby, 79<sup>n</sup>  
 Thirsk, 33, 77, 104, 106, 181, 184, 185,  
     186, 187, 191, 192  
 Thominson, John, 461  
 Thompson, Sir E. M., 151  
 Thomson, J., 472; Peter, monk, 101;  
     Wm., 103  
 Thoresby, near Bolton Castle, 402;  
     antiquary, 421, 433; Hugo de, 57  
 Thornaby-on-Tees, 278  
 Thorne, 206, 209, 212, 220, 233, 251,  
     255, 258  
 Thornhill, 286  
 Thornton Bridge, 30, 161  
 ——— -le-Street, 77  
 ——— Steward, 269, 271, 273, 280,  
     281, 282, 285, 286, 288, 292, **402**  
 ———, Thorneton, Roger de, 116<sup>n</sup>;  
     Robert, 461, 466; Thomas, 473;  
     William, 181, 183, 192, 481  
 Thorparch, 118, 123, 125, 179, 185,  
     187, 188, 192  
 Thorpe, Obediah, 472; Renald, 470;  
     Robert, 469  
 Thrapton, 215  
 Thurlstone, 418, 419  
 Thurman, Dr., 447<sup>n</sup>  
 Thurston, archbishop, 57  
 Thwaites, Thwaytes, arms of, 164;  
     Edmund, 184; Wm., 23  
 Thweng, Cicele, 168; Godfrey, 168;  
     Marmaduke, 168; Simon, 168  
 Tibetot, Payn de, 197  
 Tibourn, co. Middlesex, 245  
 Tickhill, 111, 213  
 Tideswell, 101<sup>n</sup>  
 Tiptoft, 123  
 Tirwhit, Rob., 27  
 Todd, Reginald, 462  
 Todmorton, 39, 59  
 Tokynton, 227  
 Tomlinson, Roger, monk, 101

Tomlyn, Master, 472  
 Tomplinge, Gyles, 466  
 Tomson, Wm., monk, 101  
 Topcliffe, 103, 131, 271, 273, **407**  
 Torpel, 196  
 Tosti, earl, 52  
 Tournaments, 193, 197  
 Tournay, 124  
 Towton, battle of, 122, 126  
 Trevillian, Eliz., 473  
 Trinitarian Friar, 61  
 Trowbridge, 215, 227, 235, 236, 255,  
 257, 258  
 Trussell, Wm., 212  
 Turner, John, 470  
 Turnor, John, 101; Rob., 102  
 Turpyngton, Hugh de, 229  
 Tykhull, 229

## U

Uctred family, 57  
 Ufford, Rob. de, 229  
 Umfraville, arms of, 161, 163, 166, 169;  
 Gilbert, 74; John, 169; Margaret,  
 169; Thomas, 74, 169  
 Unifreville, *see* Angus  
 Upmerdon, co. Sussex, 240  
 Upton, 196  
 Ure, river, 60  
 Ustye, Ric., 461

## V

Vacandard, Abbé, 1, 2, 4, 16  
 Valence, Aymur de, 197, 209, 214  
 Vampage, John, 121*n*  
 Vanbrugh, Sir John, 145  
 Vaughan, arms of, 167; Mr., 132  
 Vavasour, arms of, 149; Alice, 186,  
 192; Dorothy, nun, 101; Eleanor,  
 189; Henry, 185; John, of Harle-  
 wood, 131, 134, 149, 189; William,  
 196  
 Vendetta, Elland, 58  
 Verdun, 262  
 Vere, Simon de, 114  
 Vesci, arms of, 161, 163, 166, 169;  
 Alan de, 217; Ivo de, 106;  
 William de, 217  
 Vescy, Ilbert de, 57; John de, 57, 217  
 Vézelay, 445  
 Viking Age, 270, 273, 274, 275, 276,  
 285, 289, 294, 300, 306, 351, 371

## W

Wad, Gilbert de, 114; Wm. de, 114  
 Waddeworth, Elias de, 259  
 Wade, Anthony, 420, 424; Elizabeth,  
 420, 424  
 Wadsworth, Mr., 465

Wadworth, 82, 83  
 Wakefield, 60, 102, 206, 209, 212, 220,  
 222, 224, 230, 232, 241, 251, 258,  
 260, 418, 420, 425, 427, 429;  
 Dorothy, 145; Wm., 145  
 Walcher, bishop, 51  
 Waldeshelf, Walter, 199  
 Walker, Thos., 476  
 Wall, J. C., 352, 359  
 Waller, Wm. le, 216  
 Walsgrave, 52  
 Walsingham, 210; secretary, 134  
 Walter, archbishop of Canterbury, 200,  
 202; parson of Colthorp, 179;  
 parson of Gilling, 114, 115, 178  
 Waltheof, 52, 55  
 Walton, 19, 21, 23, 112, 113, 117, 118,  
 123, 137, 179, 183, 185, 187, 188,  
 192; Roger de, 23; Wm. de, 115  
 Walyngford, Wm. de, 216  
 Wandesford, arms of, 173  
 Warcoppe, John, 88  
 Ward, arms of, 161, 163, 166; Simon,  
 225; Wm., 183, 471  
 Wareinge, of Selby, 459  
 Warenne, 52; countess of, *see* Bar,  
 Joan; Edward, 248, 254; John,  
 earl of, 193-264; Margaret, 243;  
 William, 193, 242, 243, 248, 254  
 Warle, Ingelard de, 199  
 Warley, Wm., 179  
 Warren, arms of, 158, 164; John, jun.,  
 208, 209, 245, 246, 247, 248;  
 Thos., 208, 209, 246, 247, 248  
 Warthill, 58  
 Warwick, earl of, 122, 123, 197  
 Wat, Eleanor de, 116  
 Watcroft, 59  
 Waterton, Sir John, 184  
 Wath-by-Ripon, 271, 272, 273, 279,  
 282, 286, 338, **407**, 453, 454  
 — upon-Dearne, 420, 424  
 Watkinson, John, 460, 461, 469  
 Watson, Anthony, 101; John, monk,  
 101; Robert, 23, 102; Sethe, 458  
 Watton, 101, 109*n*, 110  
 Waude, Thos., 471  
 Weare, Henry, 481  
 Weddall, G. E., 455  
 Weighton parish, 81  
 Wellbury, 272, 288, 407  
 Wells Cathedral, 445  
 Wencelagh (Wensley), Rob., clerk, 185,  
 186  
 Weng Priory, 228  
 Wensley, 269, 271, 272, 274, 275, 278,  
 282, 283, 285, 286, 288, 289, 291,  
 293, 294, **407**, 408; *see also*  
 Wencelagh  
 Wensleydale, 50, 143  
 Wentworth, George, 421; Sir Matthew,  
 421, 425; Thos., viscount, 137

- Wessington, 210  
 Westerby, 60  
 Westlake, N. H. J., 152*n*  
 Westmorland, earl of, 122, 131, 132, 159  
 Weston, John, 195  
 Weston Colville, in diocese of Ely, 262  
 Westwick, Patricius de, 57  
 West Witton, 269, 271, 272, 280, 281, 288, 292, **407**  
 West Yorks., Ethnology of, 31  
 Wetherell, Thos., 479  
 Weywill, Thos. de, 253  
 Wharfedale, 39, 40, 42, 46, 48, 49  
 Wharton, Laurence, 470  
 Whitacars, Mr., 460  
 Whitbie, Thos., 101  
 Whitby, 408; Abbey, 101, 128  
 Whitehead, Wm., 103  
 Whitfield, Margt., nun, 102  
 Whithorn, 272  
 Whittington, Marie, 471  
 Whyte, Michael, 185  
 Whythead, T. B., 80  
 Wicke, Wm., 100  
 Wighill, 188  
 Wigmore, 214  
 Wildthorpe, 60  
 Wilkenson, Adam, 101; Rob., monk, 100  
 Wilkinson, Wm., 81  
 Willey, Richard, 88  
 William the Conqueror, 42, 50, 51, 54  
 Williams, Rev. J. F., 95  
 Williamson, Wm., 472  
 Willis, Browne, 101*n*  
 Willoughby, co. Notts., 158  
 Wilsh, Wm., 481  
 Wilson, Chris., 79; Dr., of Haworth, 33, 36, 38; Edward, 472; George, 137; Henry, monk, 100; John, 102; Rev. J. M., 305; William, 186  
 Wilsthorpe, 23*n*  
 Winchester, bishop of, 209, 217, 242; earl of, 225, 227, 230; *see also* Despencer  
 Wisdome, Master, 472  
 Wisham, John de, 225  
 Wither, John, 23, 25, 26  
 Withors, Walter, 255  
 Wittington, Ric., 481  
 Witton, West, *see* West Witton  
 Wivile, Sir Wm., 114*n*  
 Wolfhampton, co. Essex, 228  
 Wolsethorpe, Sir Oswald, 127  
 Wood, David, 82; Thos., 191  
 Woodward, John, 135  
 Worcester, earl of, 123  
 Wordsworth, Rev. Canon, 61  
 Worksop Priory, 111  
 Wormeley, arms of, 164*n*  
 Worsinfeld, Mr., preacher, 457  
 Worth, 33, 35, 43, 206, 209, 221, 251  
 Wortley, Francis, 135; Mr., 469  
 Wraxall, co. Somerset, 78*n*  
 Wreay, James, 458  
 Wressle, 103, 143  
 Wright, Dr. Wm., 488  
 Wrightlesham, 207, 209, 221, 222, 251  
 Wro, John de, 241  
 Wrote, James, 472  
 Wycliffe, pre-Norman stones at, 271, 274, 275, 277, 283, 284, 285, 286, 288, 291, 292, 293, 352, **418**; mediæval stones at, 415; of Thorpe, 415; Robert, 79, 415  
 Wylton, Henry de, 203, 204  
 Wylyngton, Ralph de, 238  
 Wymbeltone, John de, 115, 178; Thomas de, 178, 179  
 Wynchelsey, Rob., archbishop of Canterbury, 198  
 Wyndeshowre, Andrew, 187  
 Wyngefeld, Isabella, 247; John, 247  
 Wynterburn, 215, 227, 235, 258  
 Wytham, John de, 196  
 Wythorn, Thos., 121
- Y
- Yale (Wales), 207, 209, 213, 215, 221, 222, 231, 233, 237, 241, 245, 251, 257  
 Yarm, 103, 275, 278, 413  
 Yarpenville, John de, 116*n*  
 Yearsley, 118, 180*n*, 190, 192  
 Yokeflete, 103  
 Yonge, Robert, 465, 466  
 Yore, river, *see* Ure  
 York, 31, 46, 74, 74*n*, 79*n*, 111, 123, 125, 126, 127, 129, 132, 138, 185, 192, 291; abbot of, 111; archbishop of, 107, 109, 128, 180, 185, 186, 202, 203, 223, 225, 228, 435, 444; dean of, 57, 80, 81, 82, 110, 118*n*, 132, 189, 202, 435; duke of, 473; mayor of, 185, 187; Minster, 103, 104, 118, 246, 435, 444; St. Andrew, 101; St. Denis on Ouse Bridge, 103; St. Helen, Stoneygate, 103, 464; St. Katherine's Hospital, 462; St. Leonard's, 101; St. Mary's Abbey, 101, 106, 110, 114, 115, 116, 128, 130, 135, 231; St. Mary, Castlegate, 103; St. Michael-le-Belfry, 82, 145; St. Peter, 111, 185, 203; St. Sepulchre's College, 103; St. Wilfrid, rector of, 204; sculptured stone found at, 435  
 Yorkshire families, armorials of, 172-177
- Z
- Zouche, arms of, 157

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